

Comparative Statement of Sea Customs Revenue (excluding Salt Revenue) for the first month of the official year 1875-76 and of the previous four years.

		FOR THE MONTH OF APRIL														
		1871-72.			1872-73.			1873-74.			1874-75.			1875-76.		
		Imports.	Exports.	Total.	Imports.	Exports.	Total.	Imports.	Exports.	Total.	Imports.	Exports.	Total.	Imports.	Exports.	Total.
BENGAL	{ Gross	6,48,618	1,75,772	8,24,390	6,31,690	2,04,868	8,36,558	5,50,950	1,29,036	6,79,986	5,93,057	1,35,916	7,28,973	8,20,263	1,59,926	9,80,189
	{ Net	...	...	8,17,822	...	...	8,33,228	...	...	6,74,362	...	...	7,16,299	8,16,237	1,57,743	9,73,980
BOMBAY	{ Gross	3,40,653	45,583	3,86,236	3,94,303	50,575	4,44,878	3,22,401	42,207	3,64,608	2,59,081	44,564	3,03,595	4,99,937	1,17,004	6,16,941
	{ Net	...	...	3,45,643	...	...	3,97,027	...	...	3,29,578	...	...	2,55,661	4,99,560	1,16,067	6,15,627
SINDH	{ Gross	14,761	11,436	26,197	13,154	37,328	50,482	9,186	11,912	21,098	12,735	9,985	22,720	26,800	32,504	59,304
	{ Net	...	...	26,197	...	...	50,363	...	...	21,098	...	...	22,552	26,749	32,504	59,253
MADRAS	{ Gross	1,23,536	1,51,806	2,75,342	1,46,990	1,22,998	2,69,988	1,27,462	1,11,080	2,38,542	1,45,703	88,968	2,34,671	1,50,322	92,263	2,42,585
	{ Net	...	...	2,74,022	...	...	2,66,457	...	...	2,36,562	...	...	2,33,940	1,49,977	92,263	2,42,240
BRITISH BURMA	{ Gross	49,925	3,97,924	4,47,849	82,939	4,09,097	4,92,036	84,483	6,36,812	7,21,295	1,05,885	4,88,878	5,94,763	81,066	7,19,611	8,00,677
	{ Net	...	...	4,47,552	...	...	4,81,819	...	...	7,14,171	...	...	5,74,085	79,580	7,07,709	7,87,289
TOTAL	{ Gross	11,77,493	7,82,521	19,60,014	12,69,076	8,24,866	20,93,942	10,94,482	9,31,047	20,25,529	11,16,411	7,68,311	18,84,722	15,78,388	11,21,308	26,99,696
	{ Net	...	...	19,11,236	...	...	20,28,894	...	...	19,75,771	...	...	18,05,537	15,72,103	11,06,286	26,78,389

N. B.—1. Net collections of duty cannot be given separately for imports and exports for any of the years previous to 1875-76, owing to drawbacks and refunds not being shown separately for imports and exports in local returns for those years.

2. Figures for British Burma for April 1875-76 are exclusive of collections at Tavoy and Mergui, which are reported to be very small.

B

A. O. HUME,
Secretary to the Government of India.



EXTRA SUPPLEMENT TO
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OFFICIAL PAPERS.

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GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK
ENDING THE 27TH MAY 1875.

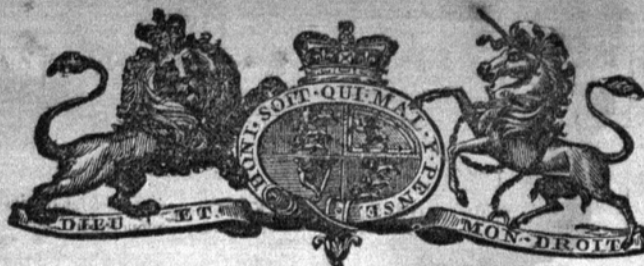
GENERAL REMARKS.—Rain in greater or less quantity is reported to have fallen during the week in all parts of India. In Madras, Mysore, and the Southern Mahratta Country the falls appear to be the usual monsoon rains. In other parts of Bombay, Sind, the Central Provinces, Central India, and Rajputana the showers were lighter and accompanied with storms. In Bengal and Assam the rain has been general and in many places heavy. In North India the falls have been partial and generally slight, with storms and hail; but in the Sub-Himalayan Districts of the North-Western Provinces and the Punjab a considerable quantity has fallen. Agricultural prospects are everywhere favourable. In Bengal the spring rice has been reaped with a good out-turn, and sowings for the autumn crop are progressing.

Presidency or Province and District.		Rainfall for week preceding.	State of agricultural prospects.
Madras—			
Kistna	(May 27th)	...	Rain '80 in Palnad, and '40 in Venukonda; Kolair paddy wants water; prices risen slightly in Guduvada; markets well supplied; mild small-pox in three taluks; guinea-worm in Palnad and Venukonda; cattle generally healthy; dry fodder and water sufficient.
Kurnool	(26th)	...	2'8 inches of rain fell in Kurnool in four days; 2'45 inches on night of 24th; moderate in four taluks; markets well supplied; prices steady; fever and cattle disease in some taluks; water and pasture sufficient.
Tanjore	(27th)	...	Rivers almost dry; no water in tanks; water over anicuts <i>nil</i> ; no cultivation; standing crops generally good; not thriving in some parts for want of rain; harvest, a few dry grains here and there; yield fair; markets well supplied; prices steady; small-pox, fever and dysentery in some parts; cholera in five taluks.
Trichinopoly	(26th)	...	Cattle disease in Tanjore and Mayaveram; some loss; pasture scanty. No special change; rain in one taluk; two or three cases of cholera in Trichinopoly; all precautions taken against spreading; cattle disease declining; drinking water scarce in dry taluks.
Malabar	(27th)	3'30	Rain sufficient for the present; market well supplied; prices steady; small-pox and fever decreasing; pasture improving. <i>General Remarks.</i> —General prospects satisfactory.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal—continued.		
Jalpaiguri (May 27th)	1.60	Cholera still prevalent, but seems to have been less fatal.
Howrah "	1.54	
Hooghly "	.62	
Burdwan "	1.13	Sickness decreasing.
Bankoora "	2.66	
Beerbhoom "	.61	
Sonthal Pergunnahs "	.99	
Bhagulpore "	...	General health good.
Purneah "	.54	
Sarun "	...	General health good.
Shahabad "	.59	
Mozufferpore "	...	Cholera still continues.
Patna "	...	Sporadic cholera throughout, except in the interior of Behar sub-division, where it is said to have assumed epidemic form.
Gya "	.46	Cholera abated little in Aurungabad and south of Gya.
Hazaribagh "	.79	
Lohardagga "	1.43	Small-pox still prevalent, and a few cases of cholera still reported from Palamow.
Maunbhoom "	.71	
Singbhoom "	1.14	Healthy.
Balasore "	...	Cholera has not yet disappeared.
Cuttack "	1.22	Public health good.
<i>General Remarks.</i> —The rains have been general throughout the provinces, and upon the whole heavy, and a short break would do good in many places. Storms have been frequent in the districts doing more or less damage. Sowing progressing satisfactorily, except where low lands have been flooded by rains. The harvest of the spring rice is all but complete, and the outturn is generally good. The growing crops of rice, jute, indigo, millet, &c., are doing well. In some places the rains have been too heavy for the young crops.		
N. W. P.—		
Benares (May 26th)	...	No change.
Mirzapur "	...	Clouds with occasional storms; rain scanty but very beneficial to sugar cane; food very cheap in Dudhi.
Hamirpur (27th)	...	Storms and slight showers; rabi outturn estimated at about two-thirds of average.
Jhansi (26th)	...	Clouds and storms; slight rain on 18th.
Agra "	.4	Thunder-storms from south-west; cloudy weather.
Meerut "	...	Storms with rain.
Bareilly "	...	Rain-fall in Nawabganj 1.50; in Bisalpur .9; less heavy in other parts.
Banda (27th)	...	Slight rain on 20th, 22nd and 24th; no other change.
Punjab—		
Delhi (May 26th)	Nil	Cholera has disappeared.
Hissar "	...	A sprinkling of rain; weather seasonable; cotton crops being sown; health generally good, but cholera in one village; 6 cases, 2 deaths.
Umballa "	...	A slight fall of rain; ploughing for kharif; health good.
Jullundur "	.5	Health good.
Lahore "	...	A few showers of rain; health and crops good.
Rawul Pindi "	Nearly one inch of rain.	Health good; cattle disease still prevailing and has appeared among commissariat cattle in cantonments.
Mooltan "	.6	Health good; water supply in canals deficient.
Dera Ismail Khan "	Nil	Health good; crops being gathered.
Peshawar "	.2	Slight fever prevailing.
<i>General Remarks.</i> —Unusually early rain has fallen over considerable part of the province. General health and prospects good.		
Oudh—		
Lucknow (May 26th)	Nil	} Grain cheap; weather cloudy with occasional dust storms and slight showers; cholera decreasing; cattle disease still exists.
Fyzabad "	.5	
Sitapur "	Nil	
Central Provinces—		
Upper Godavari (May 22)	.50	Weather cloudy and stormy; small-pox continues; prices steady.
Sambalpur "	.36	Kharif ploughing continues; a few cases of small-pox.
Bilaspur "	.09	Weather close and cloudy; cholera of a mild type prevalent.
Balaghât (24th)	.02	Weather warm; rabi threshing continues; small-pox decreasing; prices stationary.
Chhindwara "	...	Weather cloudy; slight showers of rain; kharif ploughing continues; health good; prices steady.
Bhandara (25th)	.85	Weather cloudy and close; kharif ploughing commenced; fever and small-pox prevalent; prices stationary.
Nagpur (26th)	...	Weather close and cloudy; kharif ploughing continues; prices stationary.
Wardha "	2.42	Small-pox decreasing.
Nimar "	...	8 cases of cholera, 3 fatal; small-pox decreasing.
Hoshangabad "	}	} Weather hot; 81 cholera cases; in the Hoshangabad district 28 fatal.
Betul "		
Narsinghpur "	...	Fever prevalent; small-pox decreasing; prices stationary.
Jubbulpore "	...	Weather stormy; 4 cholera cases.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Central Provinces—contd.		
Murwara (May 26th)	...	Small-pox prevalent.
Saugor "	10	Weather cloudy; kharif ploughing commenced; small-pox continues; prices rising.
Seoni (23rd)	...	Kharif ploughing continues; small-pox decreasing.
Raipur "	40	Weather cloudy and stormy; cholera prevalent on the Bilaspur frontier, a few cases near Raipur; prices easy.
		<i>General Remarks.</i> —Prices remain easy; ploughing operations are in progress; cholera cases are most numerous in the Hoshangabad District, but generally speaking the disease is not of a very fatal kind.
Mysore and Coorg—		
Mysore (May 27th)	94	} Fever still prevalent.
Coorg "	in Bangalore Cantonment. 241	
		<i>General Remarks.</i> —Agricultural prospects good.
Assam—		
Gauhati (May 27th)	8	Weather clear but hot in early part of days; heavy storms with rain in evenings; Assu ripening, but rain wanted urgently in the interior; cattle disease reported from several mauzas; choleraic diarrhoea still prevalent.
Sylhet "	119	Weather hot; field work progresses; small-pox, cholera and murrain continue.
Hyderabad Assigned Districts—		
Umraoti (May 27th)	...	Cholera slightly increasing in Buldana District; of 81 persons attacked 27 died; other parts of province healthy.
Rajpootana—		
Sirohi (May 24th)	55	Tanks dry; wells and health good; thunder-storm with rain throughout district on 20th.
" (21st)	...	Water-supply, health, and prospects good; hot winds and storms prevalent.
" (22nd)	...	Water in Rainsur tank expected to last two weeks; health good; storms throughout the week have reduced temperature; furious dust-storms occurred, uprooting large trees and causing other damages.
" "	...	Storms of wind followed by slight showers; cholera reported from Jhallawar, Shahpoora.
" (27th)	...	Thunder-storms and drops of rain all the week; health good.
" "	...	Weather cloudy and cool; wind east; health and prices continue unchanged.
" "	...	Weather cloudy with storms, but only a few drops of rain.
Central India—		
Indore (May 26th)	38	} Sharp outbreak of cholera at Mehidpore, Western Malwa; deaths above 50 per cent. of seizures; with this exception, health is generally good, and agricultural prospects are unchanged.
Rutlam "	38	
Neemuch "	77	
Baghelkhand "	10	
Nepal— (May 19th)	47	Prospect of rain; crops fair.

A. O. HUME,
Secretary to the Government of India.



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GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK
ENDING THE 3RD JUNE 1875.

GENERAL REMARKS.—Although there has been more or less rain in most parts of India, the monsoon does not appear to have regularly set in, unless it be at the southern extremity of the Peninsula. The fall has been moderate in Madras, and showers have passed over Sind, Gujarat, and the Deccan Districts of Bombay, the Central Provinces, and Central India. In Bengal the rain has been general, with storms. Heavy falls are reported from Assam and the North Central Districts of Bengal. In the North-Western Provinces and Oudh, showers and storms have been frequent. Valuable rain has fallen in Rajputana and in several districts of the Punjab. Agricultural prospects are generally favourable.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras—		
Kistna (June 3rd)	...	Rain about '5 at Masulipatam, Repalli, Bezwarrah, Palnad and Guntur; Kolair summer crop wants water; markets well supplied; prices steady; fever in Palnad; mild small-pox; cattle healthy; dry fodder sufficient.
Kurnool "	0·18 in two days.	Moderate fall in five taluks; markets well supplied; prices steady; slight fever prevalent in some taluks; cattle generally healthy; water and pasture abundant.
Tanjore "	1·0 in Negapatam.	Elsewhere slight; rivers almost dry; tanks dry; water over anicuts nil; no cultivation; standing crops generally good; not thriving in some parts for want of sufficient rain; harvest, a few dry grains here and there, yield fair; markets well supplied; prices steady; small-pox, fever, and dysentery in some places; cholera prevails more or less almost all over the district; cattle disease in two taluks; pasture scanty.
Trichinopoly (2nd)	...	Slight shower; water in the Wyakundam Channel; a few cases of cholera in the town; no epidemic; slight cattle disease in Museri.
Malabar (3rd)	0·10	Rain sufficient for the present for cultivation; markets well supplied; prices tend to rise; heat excessive; small-pox and fever decreasing; pasture improving.
General Remarks.—General prospects satisfactory.		

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay— (June 3rd)		
<i>Sindh</i> (2nd)		
Kurrachee "	...	River 10 feet 4 inches on Kotree; gauge on 31st 6½ inches less than on same date last year; kharif sowings commenced in Jerruck and Shabbunder districts; measles in Khutty Bunder; cattle disease in Kurrachee abating; of 32 cases 17 proved fatal; little damage from turtles to young rice plants in Khetty Hasim Tuppa; fever in Sehwan, Johie and Meerpoor Batora; <i>mung</i> crops fair; camels in Kotree taluka suffering from disease.
Shikarpur "	...	Slight rain; weather cooler; preparations for sowing kharif crops begun; river 10 feet 1 inch high, 4 inches lower than last year.
Hyderabad "	0·20	River risen two feet; state of crops the same as before; public health good.
Upper Sind Frontier "	...	Weather hot; preparations for kharif crops progressing moderately; Indus water at mouth of desert canal 6½ feet deep on 27th; health fair.
<i>Gujarat.</i>		
Ahmedabad (June 2nd)	0·88	129 cases of cholera in the city, and 37 deaths therefrom.
Kaira "	0·15	166 deaths from cholera which still prevails, but not in a virulent form; weather very hot and sultry.
Surat "	...	Weather and public health good.
Broach "	...	Slight rain at Broach and Ahmode; heat excessive.
<i>Khandesh and Nasik.</i>		
Khandesh (June 2nd)	...	Cholera abating; 63 deaths; rabi about six annas less; in Edlabad and Chopra cotton season closing; weather hot.
Nasik "	...	No change.
<i>Konkan.</i>		
Tanna (June 2nd)	...	Weather sultry; cholera still prevails at Tanna and in Kullian, Bassim, and Bhewady talukas; 7 deaths from it in Bassim taluka; scarcity of drinking water continues in Wada taluka.
<i>Deccan.</i>		
Poona (June 2nd)	...	Slight rain in the city and in some talukas; climate hot; cholera and cattle disease continue.
Ahmednuggur "	0·32	Cholera in four and cattle disease in two talukas.
Sholapur "	...	Slight rain in two talukas; public health good.
Satara "	0·20	Slight fever in Walwa, and ague in Patun; few cholera cases in Faolee; cattle disease in six talukas.
<i>Southern Mahratta Country.</i>		
Belgaum (June 2nd)	1·13	Rice sowing commenced in talukas bordering on the Ghâts; fever prevalent.
Dharwar "	...	Slight rain; fever and cattle disease prevalent; sowing of rice in progress; sugarcane fair.
Kanara "	0·15	Rain throughout the district; ploughing and sowing operations continue; rice has sprouted in some parts; fever prevails; small-pox and cattle disease slightly decreasing.
Kaladgi "	...	Fever in every taluka, especially at Bagulkot; cattle disease in Indi, Sindgi, Bijapur and Bagulkot.
<i>Kathiawar.</i>		
Rajkot (June 2nd)	0·15	Weather very hot and cloudy; public health good.
Wudwan "	...	Weather very hot; public health satisfactory.
		<i>General Remarks.</i> —Slight cholera prevalent; no monsoon as yet; sowings commencing in Sind, where river is rising, and rice sowing begun in Southern Mahratta Country.
Bengal—		
Chittagong (June 3rd)	·42	
Noakhally "	1·21	
Tipperah "	·85	
Chittagong Hill Tracts, "	·27	
Hill Tipperah "	1·81	
Backergunge "	1·12	
Fureedpore "	·84	General health good.
Dacca "	·48	
Mymensingh "	·11	
24-Pergunnahs "	·46	Few cases of cholera continue to be reported; fever decreasing at Barripore.
Nuddea "	·08	
Jessore "	·51	
Pubna "	·67	
Moorsshedabad "	·17	Cholera disappeared from Goas; small-pox still at Soojaganj.
Rajshahye "	·24	No cholera or small-pox reported; public health good.
Bogra "	·19	
Maldah "	·09	
Dinapore "	2·11	
Rungpore "	1·68	
Cooch Behar "	1·02	Cholera still prevalent in different parts of the raj.
Jalpaiguri "	2·55	Cholera continues, but more recoveries heard of.
Midnapore "	·04	
Howrah "	2·23	
Hooghly "	1·03	
Bankoora "	1·72	
Beerbhoom "	·66	

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal—continued.		
Sonthal Pergunnahs (June 3rd)	2.45	
Chumparun "	1.13	
Bhāgalpur " }	...	General health good.
Sarun " }	...	Cholera still continues.
Mozufferpore "	...	Cholera still prevalent, but bad in one village in Behar sub-division.
Patna "	...	Cholera bad in Aurungabad sub-division.
Gya "	.55	
Hazāribāgh "	.66	
Lohardugga "	.44	General health fair, but cases of cholera and small-pox still reported.
Maunbhoom "	.54	
Singbhoom "	.76	Healthy.
Balasore "	...	No change in general health.
Cuttack "	.59	A little cholera has again appeared, but in a sporadic way; public health other wise good.
Pooree "	2.68	
<i>General Remarks.</i> —Rain has fallen in all the districts of the province, except Monghyr; in some the fall was heavy, while rain is still wanted in a few places. Storms have been frequent and have done more or less damage. Sowing is progressing satisfactorily, except where the low-lying lands have been flooded; but the rains have facilitated operations generally. The harvest of the spring rice is all but complete, and the outturn is good. Young crops are doing well, except in a few places where the rain has been insufficient.		
N. W. P.—		
Benares (June 2nd)	...	Thunder-storm on 29th; rain in two parganas; no other change.
Mirzapur "	...	Weather cloudy; thunder-storm on 29th, but rain in north of district only.
Allahabad "	.50	No change.
Banda "	...	Showery weather; no change.
Hamirpur (3rd)	...	No change.
Jhansi (2nd)	...	Frequent dust-storms with slight rain.
Agra "	...	Weather cloudy with dust-storms.
Meerut "	...	Rain throughout district; prospects good.
Bareilly "	...	Showers in parts of the district.
Punjab—		
Delhi (June 2nd)	.2	Health good.
Hissar "	.3	Health generally good; four cases of cholera in Rohtak, two deaths.
Umballa "	.2	Preparing for kharif; health good.
Jullundur "	1.8	Health good.
Lahore "	1.	Rain very serviceable; health good.
Rawul Pindi "	4.	Cattle disease still prevails.
Mooltan "	Nil	Rabi was one-third below average; preparing for kharif, but water in canals deficient; health good.
Dera Ismail Khan "	...	Health good.
Peshawur "	.2	Slight fever.
<i>General Remarks.</i> —The rainfall has been of great service generally in preparing for the kharif. Health of the province generally good.		
Ondh—		
Lucknow (June 2nd)	Nil	} Prices stationary; weather uncertain; wind changes about from west to east; kharif operations commenced.
Fyzabad "	1.5	
Sitapur "	.3	
Central Provinces—		
Upper Godavari (May 29th)	.57	Kharif ploughing commenced; health good; prices easy.
Bilaspur "	.64	Weather close and cloudy; cholera prevalent; prices steady.
Sambalpur "	...	Weather clear; kharif ploughing continues; health good.
Raipur (30th)	...	Weather cloudy and stormy with slight showers of rain; cholera in Simga Tahsil; many fatal cases; prices easy.
Balaghāt (31st)	.03	Weather warm, but cloudy; threshing rabi completed; small-pox continues; prices steady.
Chhindwara "	...	Weather close and cloudy; kharif ploughing continues; health good; prices stationary.
Bhandara (June 1st)	...	Weather close and cloudy; kharif ploughing continues; fever and small-pox prevalent; prices easy.
Nagpur (2nd)	...	Weather cloudy and stormy; kharif ploughing progressing.
Wardha "	.05	Kharif ploughing commenced; small-pox prevalent.
Nimar "	...	Weather hot; cholera has disappeared; small-pox decreasing.
Hoshangabad " }	...	Weather sultry; cholera prevalent in the Hoshangabad District.
Betul " }	...	A few cholera cases at Murwara; small-pox prevalent.
Jubbulpore "	...	Fever and small-pox prevalent; prices stationary.
Narsinghpur "	.20	Cloudy weather; kharif ploughing continues; small-pox prevalent; prices stationary.
Saugor "	.20	Cloudy weather; kharif ploughing continues; small-pox decreasing.
Seoni "	...	<i>General Remarks.</i> —Ploughing for the kharif harvest is in progress in most districts; cholera has disappeared from Nimar, but continues in Hoshangabad.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Mysore and Coorg—		
Mysore (June 3rd)	·48	} Fever still prevalent.
Coorg " "	·05	
		<i>General Remarks.</i> —Agricultural prospects good.
Assam—		
Gauhati (June 3rd)	2·42	Weather unsettled; days of continuous heavy rains alternating with clear hot days; prospect of crops favourable but rain wanted in the interior; choleraic diarrhoea in the station has abated; cattle disease still prevalent in several mouzas.
Sylhet " "	5·8	Weather hot; field work progresses; fever prevalent; no other change.
Hyderabad Assigned Districts—		
Umraoti (June 3rd)	...	Cholera appeared in Akola District; of 74 attacked 24 died; slightly increasing in Buldana; of 34 attacked 11 died; other parts healthy.
Rajpootana—		
Sirohi (May 31st)	1·90	} Many tanks have received a good supply of water; wells rising; health good; thunderstorms with rain on the 28th, 30th, and 31st.
Marwar (27th)	·97½	
Meywar (28th)	1·4	From the rain that has fallen city tanks, Goolabsagur, &c., have a month's supply of water; health good; storms throughout the week with a good fall of rain have reduced temperature.
Harowtee " "	...	Water-supply, health, and prospects good; frequent thunderstorms; signs of early monsoon.
Ajmere (June 3rd)	1· on night of the 29th ultimo.	Successive thunderstorms, followed by rain; cholera in Jhallawar and Tonk; otherwise health good.
Bhurlpore " "	...	} Health continues good.
Central India	...	Clouds dispersed; frequent dust-storms; prices risen high; cholera slightly on increase.
Nepal—		
(May 26th)	·3	Showers general about Malwa; weather seasonable; cholera continues to fly about and in the Bheel villages has been severe.
		Much of the wheat crop in the hills still uncut.

A. O. HUME,
Secretary to the Government of India.



EXTRA SUPPLEMENT TO
The Gazette of India.

No. 24.}

SIMLA, SATURDAY, JUNE 12, 1875.

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No. 75.

OFFICIAL PAPERS.

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GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE WEEK
ENDING THE 10TH JUNE 1875.

GENERAL REMARKS.—The monsoon is announced as having broken in Malabar and the Southern Mahratta Country, where the fall has been abundant. Throughout Madras there has been moderate rain, and good falls in Mysore and Coorg. In Bengal the rain has also been general, extending half through Behar: the fall has been heaviest in the Eastern and Northern Districts; heavy rain is also reported from Assam. Elsewhere in Southern and Central India showers have been frequent, with storms. In the Northern Provinces but little rain has fallen in few places, and the heat is reported to be great. Agricultural prospects are everywhere satisfactory.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras—		
Kistna (June 10th)	...	Rain above an inch in Bezwada, Palnad, Nandiguma and Guntur; very slight in Gudiwada and Venukonda; Kolair paddy harvested, outturn one-eighth; markets well supplied locally; prices steady; fever in Palnad; mild small-pox and guinea-worm partial; cattle generally healthy; dry fodder sufficient.
Kurnool (9th)	0·11 in two days.	Slight rain in four taluks; ploughing begun; markets well supplied; prices of jouna and rice rising in four taluks; in others generally stationary; water and pasture sufficient; fever and small-pox prevalent in parts of the district; cattle generally healthy; no water over Sunkesala anicut.
Tanjore (10th)	...	Rain at Negapatam slight and partial, none elsewhere; water scanty in some rivers and none in others; no supply to tanks; water over anicuts nil; no cultivation; standing crops very few; rain wanted; harvest of a few dry grains here and there yield fair; markets well supplied; prices steady; small-pox, fever and dysentery in some places; cholera prevails more or less all over the district; cattle disease in Mayaveram—some loss; pasture insufficient.
Trichinopoly "	...	Twenty-nine deaths from cholera up to yesterday in Trichinopoly; one in Srirungum; cattle disease abating with advent of rain.
Malabar (10th)	8·76	Rain favorable for first crop cultivation; markets well supplied; prices have tendency to rise; small-pox and fever decreasing; cattle healthy; pasture improving.
	•	<i>General Remarks.</i> —General prospects satisfactory.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay— (June 10th)		
<i>Sindh</i> (9th)		
Kurrachee "	...	River rising; height at Kotree 21 inches less than on same date last year; heavy rain near Kotree for four days.
Shikarpur "	...	Days hot; nights generally cool; river 8 feet 9 inches, 4 feet 2 inches lower than last year.
Hyderabad "	...	River much lower than last year; disease among goats in Tanda Ashar, and among buffaloes in Nowsheera.
Upper Sind Frontier "	...	In Jacobabad heat oppressive with hot winds during greater part of night; rabi crops reaped; spring crops doing well; diarrhoea at Khyrigaum owing to bad water; water admitted in Begari canal.
<i>Gujarat.</i>		
Ahmedabad (June 9th)	...	Heat oppressive; cholera in city, 108 cases, 26 deaths.
Kaira "	0.6	481 cases of cholera, 179 deaths; heat intense.
Surat "	...	Slight shower of rain on 8th; weather sultry; public health good.
Broach "	0.25	Sowing preparations progressing; cholera in the city and in four talukas; cattle disease in Anklesur.
<i>Khandesh and Nasik.</i>		
Khandesh (June 9th)	...	295 deaths in 481 cholera cases; cattle almost recovered from disease; weather cloudy and hot; slight showers of rain; great demand for American cotton seed; Hingunghat 45.
Nasik "	...	Rain in seven talukas; cholera abating; land ready for sowing; weather warm.
<i>Konkan.</i>		
Tanna (June 9th)	0.25	Weather sultry; slight thunder-storm on evening of 7th; cholera continues at Tanna and Kullian and in Bhewndy and Bassim talukas.
<i>Deccan.</i>		
Poona (June 9th)	...	Slight rain in the city and in some talukas; cholera and cattle disease continue in a few talukas; climate hot.
Ahmednuggur "	0.25	Cholera in eight talukas—20 deaths in one taluka and cattle disease in six talukas.
Sholapur "	...	Slight rain; public health good.
Satara "	...	Fever at Mahableshwar; ague in Patun; cattle disease prevalent.
<i>Southern Mahratta Country.</i>		
Belgaum (June 9th)	8.17	Thunder and hail; sowing of rice commenced.
Dharwar "	...	Rain wanted in rice-producing districts; land being prepared for sowing of early crops; fever and ague almost in all talukas; cattle disease prevails slightly.
Kanara "	2.0	Ploughing and sowing operations general; fever and cattle disease prevalent, and small-pox to a slight extent.
Kaladgi "	4.58	Ploughing operations commenced; fever and cattle disease decreasing.
<i>Kathiawar and Gackwar's territory.</i>		
Rajkot (June 9th)	...	Weather very hot; public health good.
Wudwan "	0.85	Weather oppressive.
Baroda "	0.40	Manuring continues; cholera decreasing.
Bengal—		<i>General Remarks.</i> —Monsoon has broken in the Southern Mahratta country.
Noakhally (June 10th)	.9	
Tipperah "	2.96	
Chittagong Hill Tracts, "	1.52	Cholera prevalent in different parts of the district.
Hill Tipperah "	4.24	
Beckergunge "	...	A kind of disease has attacked the fish in the river which has become so serious that the people are ceasing to use this article of food; at present worms are found in the intestines of the fish, and a kind of eruption like small-pox is visible upon their skins. It is not known how far this disorder has spread, but enquiries are being made.
Fureedpore "	2.04	General health good.
Mymensingh "	4.09	
24-Pergunnahs "	.31	Cholera and fever decreasing.
Nuddea "	1.67	
Jessore "	1.39	
Pubna "	1.16	A few cases of sporadic cholera still reported.
Moorshedabad "	...	Cholera still in Goas station; small-pox appears to have died out for the present.
Rajshahye "	.38	No sickness reported.
Bogra "	1.34	
Maldah "	.42	
Dinapore "	.46	
Rungpore "	1.85	
Cooch Behar "	1.91	Cholera decreasing gradually.
Jalpaiguri "	3.65	Cholera is still generally prevalent, but there are more recoveries than there were at first.
Howrah "	.23	
Hooghly "	1.77	
Burdwan "	1.19	
Bankoora "	.41	

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal,—continued.		
Beerbhoom (June 10th)	·22	General health good.
Sonthal Pergunnahs	·03	
Bhāgalpur	...	
Sarun	...	
Chumparun	·17	
Darbahāh	·52	Cholera still continues. Health improving.
Mozufferpore	...	
Shahabad	...	
Patna	...	Cholera still continues throughout the districts; bad in the town of Barrh Sub-division.
Gya	...	Cholera still in Aurungabad sub-division, and prevalent in Nowdah sub-division; rest of the district healthy.
Hazāribāgh	·10	Cholera and small-pox still reported.
Lohardugga	2·10	
Maunbhoom	·29	Healthy.
Singbhoom	·02	
Balasore	...	Cholera has nearly ceased.
Cuttack	1·75	A little cholera in places; public health on the whole good.
Pooree	·04	
<i>General Remarks.</i> —Rain has fallen in every district of Bengal, Orissa and Chota Nagpore, except Midnapore and Backergunge, and in about half the districts of Behar; a further fall is wanted almost everywhere. Boro rice is all but reaped; tilseed and oilseed and cheena millet are being harvested, and sowings of early rice continue in places. The young crops of rice, millet, sugar-cane, jute, &c., are progressing favourably, but want rain; indigo is doing well, and in some places is fit for cutting; sowings of the main rice crops are progressing favourably.		
N. W. P.—		
Benares (June 9th)	...	No change.
Mirzapur	...	Wind changeable, chiefly east; clouds daily; heat great.
Allahabad	...	No change.
Banda	...	Intense heat, east wind; no other change.
Hamirpur (10th)	...	No change.
Jhansi (8th)	...	From 1st to 7th weather stormy with slight rain; great heat; prices almost stationary; health good.
Cawnpore (9th)	...	Prospects good; health fair.
Agra	...	Extreme heat and east winds.
Meerut	...	Slight rain in Bāgpat; prospects unchanged.
Bareilly	...	Health good.
Punjab—		
Delhi (June 9th)	...	Health good.
Hissar	...	Health of Division generally good, but 25 cases of cholera in two villages of Rohtak District, 14 deaths.
Umballa	...	Health good.
Jullundur	...	Ditto.
Lahore	...	Ditto.
Rawul Pindi	...	Ditto; but cattle disease still prevails.
Mooltan	...	Kharif sowings commenced; health good.
Dera Ismail Khan	...	Health good.
Peshawur	...	Slight fever prevailing.
<i>General Remarks.</i> —General health of the province and agricultural prospects good.		
Oudh—		
Lucknow (June 9th)	Nil	Prices stationary; cholera decreasing; weather uncertain; cloudy with slight showers to-day; kharif operations progressing.
Fyzabad	·4	
Sitapur	Nil	
Central Provinces—		
Upper Godavari (June 7th)	·09	Kharif ploughing continues; health good; prices easy.
Sambalpur	...	Weather warm; health good.
Bilaspur	...	Cloudy weather; cholera prevalent; prices steady.
Raipur (6th)	·35	Ditto; kharif ploughing continues; cholera prevalent; prices easy.
Chanda	1·4	Weather cloudy; health good; prices steady.
Chhindwara (7th)	·15	Ditto; kharif ploughing continues; health good; prices steady.
Balaghāt	...	Weather warm; kharif ploughing continues; small-pox prevalent; prices steady.
Bhandara (8th)	·15	Cloudy weather; kharif ploughing continues; small-pox and fever prevalent; prices stationary.
Nagpur (9th)	·40	Weather cloudy and stormy; kharif ploughing continues; prices stationary.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Central Provinces—contd.		
Wardha (June 9th)	20	Small-pox continues.
Nimar	...	4 cases of cholera, 1 fatal; prices stationary.
Hoshangabad	...	Weather sultry; 104 cases of cholera, 53 fatal.
Betul	10	Weather cloudy.
Narsinghpur	...	Cloudy weather; kharif ploughing continues; fever prevalent; prices steady.
Jubbulpore	...	Weather hot; 6 cases of cholera.
Murwara	...	Small-pox prevalent.
Saugor	13	Cloudy weather; kharif ploughing progressing; small-pox continues; prices declining.
Seoni	...	Weather cloudy; kharif ploughing continues; small-pox decreasing; cattle disease prevalent; prices stationary.
Mysore and Coorg—		
Mysore (June 10th)	2-21 in Bangalore Cantonment.	Fever very prevalent.
Coorg	1-39	
Assam—		
Gaubati (June 10th)	3-09	General Remarks.—Agricultural prospects good.
Sylhet	4-65	
Hyderabad Assigned Districts—		
Umraoti (June 10th)	1-32	Cholera increasing in Buldana District; of 134 attacked 53 died; Akola report not received; other parts healthy.
Rajpootana—		
Sirohi (June 7th)	...	Many tanks have received a good supply of water; wells also rising; health very good; weather seasonable.
Meywar (4th)	05	Water supply, health and prospects good; frequent storms and signs of early rains.
Marwar	26	Some water in tanks and wells from recent rains; health good; heat great.
Ulwar	09	Tanks empty; wells in fair supply; a good deal of malarial fever about.
Harowtee (5th)	...	High winds prevalent. Cholera cases reported in Jhallawar, Kota, Tonk and Shahpoora; otherwise health good.
Jeypore (10th)	Nil	Heat intense; health continues good.
Bhurlpore	...	No change; intense heat; cholera decreased.
Ajmere	Nil	Ploughs have been worked after last week's rain; health good.
Central India—		
Indore (June 9th)	39	Cloudy and hot weather; cholera still flying about Western Malwa and below the Vindhya; no change since last return.
Gwalior	...	
Rutlam	...	
Neemuch	...	
Baghelkhand	...	
Sutna	...	
Nepal— (June 2nd)	05	

A. O. HUME,
Secretary to the Government of India.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.

Forecast of expenditure from Extraordinary Funds on Railways and
Irrigation Works.

Extract from the Proceedings of the Government of India, Public Works Department, Account-General,—
No. 354 A—G., dated 11th June 1875.

Read again—

Resolution in the Public Works Department, No. 377 A—G, dated 18th July 1873.

Read also—

Tables and Memorandum prepared in the Public Works Department, dated 11th June 1875.

OBSERVATIONS.—In July 1873 a Resolution was published in the *Gazette of India* reviewing the contemplated operations for the extension of Railways and Irrigation Works in India, with a Forecast of the probable result of an annual outlay of $4\frac{1}{2}$ millions sterling for five years. The conclusion arrived at by the Government of India was, that the operations might be continued on that scale without fear of financial embarrassment. But it was added in conclusion that the arrangements permitted of the rate of expenditure being contracted if a reduction should be found necessary.

2. The basis of the calculations made in 1873 was this :

In the year 1872-73, after deducting the net receipts derived from works in operation, there remained a sum of £2,378,140 charged to revenue for the interest of money borrowed, whether directly by Government or indirectly through Guaranteed Companies, for the construction of 'reproductive' public works. The term 'reproductive' is meant to imply not that all these works are likely to be in themselves remunerative as an investment of capital, but that their effect will be to add to the general wealth of the country. The condition of the finances was such as to 'satisfy' the Government of India that a similar charge of £2,378,140 might be met in future years without increased taxation.

As works under progress are completed, and as those lately completed are brought into fuller work, fresh receipts will come in : some increase is also to be expected from old works. In the Forecast of 1873 the rate of expenditure upon works in progress and new works was so adjusted for five years, that the estimated additional annual charge upon revenue for the interest of money to be borrowed should be met by the estimated additional receipts, and no increased annual charge upon revenue should be incurred. The calculations then made showed an estimated annual charge upon revenue in every year after 1872-73 considerably below the charge incurred in that year.

3. These calculations can be now compared with the actual results of the last three years : thus—

	Forecast of 1873.	Present information.	Based on
	£	£	
Excess of interest charges over net receipts			
1872-73	2,378,140	2,357,696	Actuals.
1873-74	2,127,579	1,780,833	„
1874-75	2,019,780	1,565,705	Regular Estimate.

It will be seen that the Forecast of 1873 has been more than justified by the facts. The large decrease of the net annual charge in 1873-74 and 1874-75 is due in a great measure to the increase in the profits of the Guaranteed Railways owing to the great extension of the grain traffic during the famine of 1873-74. But detailed calculations show that without taking those profits into account the calculations of the Forecast of 1873 would have been perfectly safe.

4. Since the publication of that Forecast it has been deemed expedient to limit the annual outlay on reproductive public works, classed as extraordinary, for the prosecution of which funds are authorised to be raised by loan, if necessary, to 4 millions sterling.

5. New tables have been prepared on this basis. They include the operations of 1872-73 and 1873-74 taken from the accounts of actual outlay, and those of 1874-75 taken from the Regular Estimate. The operations for 1875-76 are taken from the Budget Estimate, and those of the following four years from the best estimate that can be formed of probable operations. The new Forecast extends to the Financial year 1879-80. The excess of interest charges over net receipts is estimated to decrease from £2,357,696, the actual charge in 1872-73, to £1,939,806 in 1879-80. This charge is expected to average £2,023,126

	£
1875-76	2,179,394
1876-77	2,010,920
1877-78	2,022,306
1878-79	1,963,206
1879-80	1,939,806
Total	10,115,632
Average per annum	2,023,126

per annum from 1875-76 to 1879-80, as shown in the margin. The even progress of the fall was interrupted by the earnings of the famine traffic in 1873-74 and 1874-75; but the regular series is resumed in 1875-76. The result is on the whole much the same as in the calculations of 1873.

6. The principal circumstances which have led to alterations in the present Forecast as compared with that of 1873 are the following. The total annual outlay has been limited to 4 millions sterling with full effect from 1876-77. The estimated cost of the State Railways has been considerably affected by the decision to make the Indus Valley, the Punjab Northern, and the Scindia lines on the broad gauge, which necessitates a larger outlay of capital without a corresponding increase of traffic receipts. The outlay upon Irrigation Works is concentrated on fewer projects. The interest has been calculated at $4\frac{1}{2}$ instead of 4 per cent. It is to be noted that interest has been calculated on the entire sum charged under the head Extraordinary, while no deduction has been made for receipts from Irrigation Works in Madras, Bombay (including Sindh), and Rajpootana, in consequence of the manner in which the receipts derived from irrigation are to be separated from the land revenue not having been finally decided. No allowance has been made for the probability that surplus revenue will be applied to the construction of reproductive works. It will thus be seen that a considerable margin has been allowed for safety in these calculations.

7. The result of the new Forecast is satisfactory. It appears that, taking a moderate estimate of the growth of income from existing Railways and Irrigation Works, and very small returns from the new works, an annual capital outlay of 4 millions for the next five years on State Railways and Irri-

gation Works charged with interest at $4\frac{1}{2}$ per cent. is not likely to lead to any increase of annual charge on the revenues of India.

8. The progress intended to be effected in the works in hand according to this Forecast is as follows :—

GUARANTEED RAILWAYS.

9. All the Guaranteed Railways are open for traffic complete, with the exception of the Oudh and Rohilkund and South of India Railways.

Of the Oudh and Rohilkund Railway, $539\frac{3}{4}$ miles have been opened for traffic. The bridge over the Ganges at Cawnpore will be completed before the end of the current year and connection established with the East India Railway. The total mileage then open for traffic will be 544 miles. It is as yet uncertain when the remaining sections of the Oudh and Rohilkund Railway as originally projected, *viz.*, from Buxar to Akbarpore, and a branch to the foot of the hills near Raneeket, will be undertaken.

The South Indian Railway is to be of $619\frac{3}{4}$ miles in length on the metre gauge, of which 167 miles from Negapatam to Erode (at present on the 5' 6" gauge, but to be converted to the metre gauge) are open; also $18\frac{3}{4}$ miles from Arconum to Little Conjeveram (at present on 3 feet $6\frac{3}{4}$ inches gauge). The Southern extension, $215\frac{3}{4}$ miles on the metre gauge, from Trichinopoly to Tuticorin, with a branch to Tinnevely, is expected to be open throughout in 1875-76, and the Northern extension, 218 miles, from Madras to Tanjore in 1876-77.

STATE RAILWAYS.

10. The progress expected in the State Railways is as follows :—

The Punjab Northern Railway, 103 miles in length, from Lahore to Jhelum, will be completed on the broad gauge on a bank separated from the Grand Trunk Road and opened for traffic in 1876-77

The Rajpootana Railway on the metre gauge, 323 miles of which are already open, will be completed and in work, from Delhi and Agra (including the bridge over the Jumna at Agra) to Ajmeer and Nusseerabad, a length of 396 miles ... „ 1876-77

The Wardha Valley line for the supply of coal from the Warora Colliery to the Great Indian Peninsula Railway will be completed and at work, 46 miles, on the $5\frac{1}{2}$ feet gauge ... „ 1876-77

The Rangoon and Irrawaddi Valley Railway, 161 miles, on the metre gauge, will be completed to Prome ... „ 1877-78

The Indus Valley Railway, from Kotree to near Mooltan, 498 miles in length, will be completed on the $5\frac{1}{2}$ feet gauge and opened for traffic, including the large bridges over the Sutlej at Bahawalpore and over the Indus at Sukkur ... „ 1878-79

The Holkar State Railway, of which 57 miles are now open for traffic, will be completed from Khundwa to Indore, including the bridge over the Nerbudda, and will be extended to Neemuch and Oojein, a length in all of $254\frac{1}{2}$ miles, on the metre gauge ... „ 1878-79

The Scindia Railway (72 miles of $5\frac{1}{2}$ feet gauge) will be completed from Agra to Gwalior, including the large bridge over the Chumbul ... „ 1879-80

The Northern Bengal Railway, 225 miles on the metre gauge, from the Ganges above Kooshtea to the foot of the Darjeeling Hills, will be completed and opened for traffic ... „ 1878-79

The Tirhoot Railway, 110 miles on the metre gauge, which occupies the principal lines over which the grain was carried in the recent famine relief operations, and of which the permanent line from the Ganges to Durbungha, 50 miles, will be finished in 1875-76, will be completed ... „ 1877-78

The above operations embrace the completion of 1,865 miles of State Railway, of which 719 miles will be on the broad and 1,146 miles on the narrow (metre) gauge. Other lines of Railway will also be undertaken as the completion of these sets free funds and staff.

them into operation as rapidly as possible. In Midnapoor the work remaining to be done chiefly consists in completing the distributary system, drainage and river embankments.

Irrigation Works in Tirhoot.—Investigations are now being made to ascertain how far the wants of the tract in North Behar, which has suffered most from famine, can be supplied by small works in connection with numerous petty streams intersecting it, as well as by inundation canals from the Gunduck.

N. W. PROVINCES.—*Ganges Canal.*—Rectifications of existing works, and extensions and improvements to the distributary system are in progress. Most of these works can only be carried out slowly owing to the necessity of keeping the channels full to supply the irrigation. Some new works, such as weirs in the main channel, can only be built when the canal is closed, as it usually is, for about a month every year for periodical repairs.

Agra Canal.—This canal was opened in March 1874. The work remaining to be done chiefly consists in completing the distributary system, and the separate navigable lines connecting it with the cities of Muttra and Agra.

The Lower Ganges Canal.—This is a new work, is being pushed on as rapidly as possible, and will probably be ready for opening in 1878-79.

Irrigation Works in Bundelkund.—Estimates for one project consisting of a weir on the Betwa river and channels therefrom are now under consideration.

PUNJAB.—*Western Jumna Canal.*—Some of the new distributaries are in progress, and the new canal-channel in substitution for a portion of the existing Main Line and Delhi Branch is being commenced. The permanent weir across the Jumna River and head-works are well advanced, and may probably be completed in a year or two. It is intended to push on the other works as rapidly as the available supply of labor will admit.

Baree Doab Canal.—Permanent weir and head-works on the River Ravee are in operation; a small outlay only is required to complete them. The Kussoor and Sabraon branches are well advanced. These, with their distributary channels and the distributaries required to complete the system on the branches now open, will probably be completed by 1879-80. The rectification of the Main Canal is in progress, but is necessarily a slow process with a running canal.

Sirhind Canal.—These works are being pushed on as rapidly as possible. They will probably be sufficiently advanced by 1879-80 to allow of water being passed down the main channels and portions of the branches.

Swat River Canal.—This will irrigate a portion of the Peshawur Valley. The project has been drawn up and is now under consideration.

RAJPOOTANA.—*Bheer Reservoir.*—Is nearly completed. Irrigation has commenced therefrom.

ORDER.—Ordered, that this Resolution, with the tables referred to, be communicated to the Secretary of State, and that a copy be published in the Supplement to the *Gazette of India*.

C. H. DICKENS, Colonel, R.A.,

Secy. to the Govt. of India.

PUBLIC WORKS EXTRAORDINARY AND GUARANTEED
RAILWAY FORECASTS,
1875-76.

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GENERAL SUMMARY.

Forecast of net charge on the Revenues of India on account of Guaranteed Railways, and State Railways and Irrigation Works classed as Public Works Extraordinary.

	ACTUALS.		ESTIMATE.					
	1872-73.	1873-74.	1874-75 (Regular Estimate).	1875-76 (Budget Estimate).	1876-77.	1877-78.	1878-79.	1879-80.
	£	£	£	£	£	£	£	£
<i>Charges.</i>								
Guaranteed Railways—Interest, land and control, &c. ...	4,819,457	4,820,343	4,791,170	4,825,700	4,847,000	4,832,000	4,824,000	4,824,000
State Railways—Interest ...	141,733	249,256	399,535	535,179	638,679	755,265	876,765	998,265
Irrigation Works— ” ...	232,590	286,530	343,141	401,641	460,141	518,641	577,141	635,641
	5,193,780	5,356,129	5,533,846	5,762,520	5,945,820	6,105,906	6,277,906	6,457,906
<i>Receipts.</i>								
Guaranteed Railways ...	2,547,900	3,230,554	3,561,000	3,141,700	3,351,000	3,390,000	3,511,000	3,609,000
State Railways ...	5,362	—6,474	38,100	74,356	169,000	258,000	349,000	430,000
Irrigation Works ...	282,822	351,216	369,041	367,070	414,900	435,600	454,700	479,100
	2,836,084	3,575,296	3,968,141	3,583,126	3,934,900	4,083,600	4,314,700	4,518,100
<i>Net Charges.</i>								
Guaranteed Railways ...	2,271,557	1,589,789	1,230,170	1,684,000	1,496,000	1,442,000	1,313,000	1,215,000
State Railways ...	136,371	255,730	361,435	460,823	469,679	497,265	527,765	568,265
Irrigation Works ...	—50,232	—64,686	—25,900	34,571	45,241	83,041	122,441	156,541
	2,357,696	1,780,833	1,565,705	2,179,394	2,010,920	2,022,306	1,963,206	1,939,806

Note.—In the case of State Railways and Irrigation Works, the interest charges have been calculated only on such portion of the Capital outlay as represents expenditure charged or to be charged as Extraordinary. Likewise in the case of the Guaranteed Railways no interest is charged on the State outlay but only the guaranteed interest payable to the Companies, and the State outlay actually incurred.

STATEMENT No. II.

Statement of actual and estimated Net Traffic Receipts of Guaranteed Railways as applied, or to be applied, in the reduction of charges for Guaranteed Interest.

	ACTUALS.					ESTIMATES.					
	Net receipts, 1869-70.	Net receipts, 1870-71.	Net receipts, 1871-72.	Net receipts, 1872-73.	Net receipts, 1873-74.	Net receipts, 1874-75 (Regular Estimate).	Net receipts, 1875-76 (Budget Estimate).	Net receipts, 1876-77.	Net receipts, 1877-78.	Net receipts, 1878-79.	Net receipts, 1879-80.
East Indian, Main Line	£ 1,545,564	£ 1,446,098	£ 1,447,476	£ 1,410,052	£ 1,762,556	£ 1,879,200	£ 1,604,000	£ 1,604,000	£ 1,630,000	£ 1,670,000	£ 1,690,000
" Jubbalpoor Line	—3,105*	15,642	30,429	108,297	100,250	137,000	96,000	96,000	96,000	96,000	96,000
Eastern Bengal	86,643	106,122	86,296	88,413	117,360	193,000	148,500	165,000	170,000	180,000	185,000
Great Indian Peninsula	437,442	611,338	830,653	602,306	651,324	759,000	779,000	785,000	795,000	800,000	805,000
Bombay, Baroda and Central India	131,845	118,389	269,091	164,414	213,576	268,000	239,000	240,000	240,000	250,000	255,000
Madras	284,866	232,469	251,140	286,741	251,669	183,000	206,200	210,000	210,000	220,000	225,000
South Indian	25,753	29,671	25,407	44,624	44,138	38,000	82,000	96,000	108,000	130,000	150,000
Sindh, Punjab and Delhi	188,220	92,894	—20,214	—88,549	148,649	426,000	110,000	145,000	150,000	155,000	158,000
Oudh and Rohilkhand	5,241	—30,873	11,503	10,466	35,543	80,000	90,000	150,000	170,000	200,000	250,000
Less—Moieties of surplus profits paid, or to be paid, to Railway Companies	2,702,469	2,621,750	2,931,781	2,632,764	3,325,065	3,963,200	3,354,700	3,491,000	3,569,000	3,701,000	3,814,000
	74,530	65,047	54,628	78,279	83,876	392,000	202,500	140,000	179,000	190,000	205,000
Madras Irrigation and Canal Company	2,627,939	2,556,703	2,877,153	2,554,485	3,241,189	3,571,200	3,152,200	3,351,000	3,390,000	3,511,000	3,609,000
	1,003	74	—8,205	—6,585	—10,635	—10,200	—10,500	...	...	...	...
Net amount available to be applied in reduction of the charge for guaranteed interest	2,628,942	2,556,777	2,868,948	2,547,900	3,230,554	3,561,000	3,141,700	3,351,000	3,390,000	3,511,000	3,609,000

* After reduction of £10,244, being recovery effected in England on account of deficit in working of Jubbulpoor Line, East Indian Railway.

GUARANTEED RAILWAYS.

STATEMENT No. III.

Approximate Statement of the total net charge on the Revenues of India on account of Guaranteed Railways to end of 1879-80.

	ACTUALS.		ESTIMATED SUMS FOR					
	1872-73.	1873-74.	1874-75 (Regular Estimate).	1875-76 (Budget Estimate).	1876-77.	1877-78.	1878-79.	1879-80.
	£	£	£	£	£	£	£	£
CHARGES ON THE STATE—								
Interest on total Capital	4,658,401	4,667,905	4,700,400	4,727,000	4,772,000	4,772,000	4,772,000	4,772,000
Land and Control	110,081	87,987	90,770	98,700	75,000	60,000	52,000	52,000
Loss on sale of permanent-way materials and carriage of same to Nizam's State Railway	50,975	64,451	...	...	...	...	...	...
TOTAL GROSS CHARGE	4,819,457	4,820,343	4,791,170	4,825,700	4,847,000	4,832,000	4,824,000	4,824,000
NET RECEIPTS	2,547,900	3,230,554	3,561,000	3,141,700	3,351,000	3,390,000	3,511,000	3,609,000
NET CHARGE AGAINST REVENUE	2,271,557	1,589,789	1,230,170	1,684,000	1,496,000	1,442,000	1,313,000	1,215,000

Statement of actual and proposed outlay to end of 1879-80 on State Railways in India.

No.	NAME OF RAILWAY.	Length in miles.	Probable cost.	ACTUAL OUTLAY			PROBABLE EXPENDITURE.								Item No.	REMARKS.
				To end of 1871-72.	During 1872-73.	During 1873-74.	Total outlay to end of 1873-74.	1874-75. (Regular Estimate.)	1875-76. (Budget Estimate.)	1876-77.	1877-78.	1878-79.	1879-80.	Total to end of 1879-80.		
1	I.—Sanctioned Works, including those completed and in progress.			£	£	£	£	£	£	£	£	£	£	£		
2	Calcutta and South-Eastern ...	28	A { 600,000	529,003	—7,423	—13,147	508,433	80,550	—35,000	...	...	...	...	553,983	1	
3	Nulhattee ...	27½	B { 30,000	30,000	...	—46	29,954	...	...	...	...	...	...	29,954	2	
4	Punjab Northern—Lahore to Jhelum ...	103	B 2,300,000	745,103	368,643	282,478	1,396,224	335,000	470,000	98,776	...	...	...	2,300,000	3	
5	Indus Valley ...	498	B 5,000,000	122,086	210,869	653,949	986,904	771,400	970,000	1,000,000	900,000	371,696	...	5,000,000	4	
6	Rajpootana (Delhi Division) ...	142	780,000	172,348	143,499	248,311	564,158	185,000	{	210,000	...	...	...	2,280,000	5	
7	Wardha Valley ...	254	1,500,000	113,348	266,093	422,151	801,592	480,000	{	39,250	...	...	...	2,280,000	6	
8	Holkar ...	46	400,000	6,686	100,560	30,565	137,811	70,000	90,000	90,000	12,189	...	...	400,000	7	
9	Nimach—Indore to Nimach ...	85½	1,000,000	36,327	186,828	298,997	521,652	278,600	180,000	19,748	...	...	...	1,000,000	8	
10	Tirhoot—Chumpra Ghat to Durbunga ...	169	1,100,000	31,691	13,089	126,343	171,123	200,000	180,000	195,000	244,375	109,502	...	1,100,000	9	
11	Northern Bengal ...	50	270,000	...	10,774	(a) 97,867	97,867	164,000	...	...	...	...	...	261,867	10	
12	Burmah (Rangoon and Irrawaddy Valley) ...	225	1,400,000	5,269	...	30,487	46,530	385,000	280,000	...	250,000	123,470	...	1,400,000	11	
13	Scindia—Agra to Gwalior ...	161	900,000	2,674	681	...	3,355	130,000	430,000	270,000	66,645	...	...	900,000	12	
14	Tirhoot Branch from Tajpore to Mozuff- pore, and extension to Mokameh Ghat ...	72	B 1,000,000	...	1,624	7,967	9,591	12,500	100,000	250,000	350,000	250,000	27,909	1,000,000	13	
	TOTAL I. ...	60	B 500,000	...	...	...	...	10,000	90,000	250,000	150,000	...	...	500,000	14	
	II.—Works under consideration, and for which estimates have been pre- pared, but which have not yet been sanctioned.			£	£	£	£	£	£	£	£	£	£	£		
15	Nagpur and Chatisgarh ...	130	800,000	...	...	...	...	...	...	...	...	...	...	...	15	
16	Nimach—Nimach to Nusseerabad ...	134	800,000	...	...	...	...	...	...	...	...	...	...	...	16	
17	Mahratta (Garwar and Bellary) ...	264	1,600,000	...	...	...	...	...	...	...	...	...	...	...	17	
	TOTAL II. ...	528	3,200,000	34,166	22,488	27,129	83,783	12,570	45,000 (b)	172,226	726,791	1,845,332	2,672,091	5,557,793	18	
18	III.—Works proposed and under survey.														19	
19	Northern Punjab—Jhelum to Peshawur ...	170	...	...	...	...	...	...	...	...	...	...	...	...	20	
20	Western Rajpootana ...	300	...	...	...	...	...	...	...	...	...	...	...	...
	Tirhoot (Extensions) ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	TOTAL III. ...	470	...	21,540	110,417	168,010	299,967	—133,000	...	...	...	...	...	166,967		
	IV.—Suspense (Stores undistributed) ...															
	GRAND TOTAL ...			1,850,241	1,427,642	2,381,061	5,658,944	2,981,620	3,010,000	2,700,000	2,700,000	2,700,000	2,700,000	22,450,564		
	Less met from Ordinary Grant ...			12,390	13,993	26,436	52,819	204,070	10,000	...	...	...	...	266,889		
	Net charge Extraordinary ...			1,837,851	1,413,649	2,354,625	5,606,125	2,777,550	3,000,000	2,700,000	2,700,000	2,700,000	2,700,000	22,183,675		

A.—Actual cost. The outlay does not include the following sums, charged as ordinary expenditure:—

Purchase of land and control ... 108,500
Loss by exchange ... 30,000

A.—Actual cost. The outlay does not include the following sums, charged as ordinary expenditure:—

Purchase of land and control	£ 108,500
Loss by exchange	30,000

P. Probable cost.

No. II.

Statement of actual and estimated net traffic receipts of State Railways from 1871-72 to end of 1879-80.

NAME OF RAILWAYS.	ACTUALS.			ESTIMATED.					
	Net receipts, 1871-72.	Net receipts, 1872-73.	Net receipts, 1873-74.	Net receipts, 1874-75. (Regular Esti- mate.)	Net receipts, 1875-76. (Budget Esti- mate.)	Net receipts, 1876-77.	Net receipts, 1877-78.	Net receipts, 1878-79.	Net receipts, 1879-80.
	£	£	£	£	£	£	£	£	£
Calcutta and South-Eastern State Railway	4,064	1,262	—10,197A	1,800	200	1,000	1,000	1,000	1,000
Nulhattee State Railway	4,100	3,282	2,480	2,556	3,000	3,000	3,000	3,000
Rajpootana	141	} 28,420	60,000	{ 25,000	28,400	38,000	48,000
Ditto		51,000	60,850	76,000	85,000
Punjab Northern State Railway	3,000	15,000	16,500	17,000	18,000
Indus Valley State Railway	20,000	43,900	62,000	72,000
Wardha Valley State Railway	600	2,000	8,000	10,000	15,000	20,000
Holkar State Railway	300	4,800	6,600	12,000	14,750	17,000	20,000
Nimach	8,000	15,000	20,000	25,000
Northern Bengal State Railway	9,000	24,000	40,000	56,000
Rangoon and Irrawaddi Valley	9,000	18,000	30,000	42,000
Scindia	1,000	7,500	10,000	15,000
Tirhoot and other Railways	7,000	15,100	20,000	25,000
TOTAL	4,064	5,362	—6,474	38,100	74,356	169,000	258,000	349,000	430,000

STATE RAILWAYS.

No. III.

Approximate Statement of the total net charge on the Revenues of India on account of State Railways for the period ending 1879-80.

	Actuals to end of March 1872.	ACTUALS.		ESTIMATED.						
		1872-73.	1873-74.	1874-75.	1875-76.	1876-77.	1877-78.	1878-79.	1879-80.	
<i>Loan at 4½ per cent.</i>										
Capital outlay in each year	£ 1,837,851	£ 1,413,649	£ 2,354,625	£ 2,777,550	£ 3,000,000	£ 2,700,000	£ 2,700,000	£ 2,700,000	£ 2,700,000	
Less provided by His Highness Maharaja Holkar at 4½ ...	450,000	110,000	110,000	110,000	110,000	110,000	...	...	...
<i>Add</i> —Amount provided in excess of probable outlay of year by His Highness Maharaja Scindia	1,387,851	1,303,649	2,244,625	2,667,550	2,890,000	2,590,000	2,700,000	2,700,000	2,700,000	
<i>Deduct</i> —Amount of grant of year provided from His Highness Maharaja Scindia's balance ...	...	...	...	550,000	...	...	...	...	...
	...	...	...	...	40,819	400,000	109,181	...	...
Total to end of each year	1,387,851	1,303,649	2,244,625	3,217,550	2,849,181	2,190,000	2,590,819	2,700,000	2,700,000	
Interest charge ...	...	2,691,500	4,936,125	8,153,675	11,002,856	13,192,856	15,783,675	18,483,675	21,183,675
	...	121,118	222,126	366,915	495,129	593,679	710,265	831,765	953,265	
<i>Loan from His Highness Maharaja Holkar at 4½ per cent.</i>										
Capital outlay in each year	450,000	110,000	110,000	110,000	110,000	110,000	...	...	...
Total to end of each year	...	560,000	670,000	780,000	890,000	1,000,000	1,000,000	1,000,000	1,000,000	
Interest charge ...	...	(a) 20,615	(b) 27,130	32,620	40,050	45,000	45,000	45,000	45,000
<i>Result.</i>										
Total interest charge	...	141,733	249,256	399,535	535,179	638,679	755,265	876,765	998,265	
Estimated net earnings as per Statement No. II	...	5,362	—6,474	38,100	74,356	169,000	258,000	349,000	430,000	
Net charge on Revenue	...	136,371	255,730	361,435	460,823	469,679	497,265	527,765	568,265	
Estimated mileage opca	...	...	...	...	...	...	...	...	...
	55	55	120	402	823	1,225	1,622	1,997	2,372	

(a) (b).—Actual charge.

WORKS.

I.

1879-80 on Irrigation Works in India.

PROBABLE OUTLAY.						Total outlay to end of 1879-80.	Deduct, met from contribu- tions.	Balance outlay to end of 1879-80.	Item No.
1874-75. (Regular Estimate.)	1875-76. (Budget Esti- mate.)	1876-77.	1877-78.	1878-79.	1879-80.				
£	£	£	£	£	£	£	£	£	
46,282	46,860	40,000	40,000	37,000	19,252	369,000	...	369,000	1
13,528	12,288	13,000	11,582	...	...	167,000	...	167,000	2
5,820	2,312	4,000	4,000	1,370	...	66,100	...	66,100	3
1,450	2,540	1,163	...	...	...	28,000	...	28,000	4
2,060	...	1,366	...	...	...	44,000	...	44,000	5
5,560	5,000	5,000	4,991	...	...	120,000	...	120,000	6
7,525	5,106	...	...	...	...	151,847	...	151,847	7
33,550	47,841	22,000	10,000	18,612	...	493,000	...	493,000	8
11,895	7,675	...	...	...	...	106,705	...	106,705	9
20,380	14,378	...	...	...	...	143,944	...	143,944	10
318,225	255,037	240,000	240,000	240,000	240,000	2,510,981	...	2,510,981	11
202,397	170,963	150,000	150,000	100,000	...	2,851,372	...	2,851,372	12
33,677	59,668	80,000	80,000	80,000	80,000	715,290	...	715,290	13
101,085	87,012	20,000	...	...	...	747,334	...	747,334	14
242,137	303,320	260,000	260,000	260,000	260,000	1,904,243	...	1,904,243	15
39,176	78,160	75,000	75,000	75,000	75,000	520,164	...	520,164	16
40,000	50,000	50,000	50,000	50,000	18,344	480,000	...	480,000	17
210,000	246,840	250,000	250,000	250,000	250,000	2,191,816	814,493	1,377,323	18
2,000	...	...	...	...	...	18,262	...	18,262	19
1,336,747	1,395,000	1,211,529	1,175,573	1,111,982	942,596	13,629,058	814,493	12,814,565	

f State, and the amounts set down as probable cost are liable to alteration.
tioned by Secretary of State.

IRRIGATION

No.

Statement of actual and proposed outlay to end of

Item No.	PROJECTS.	Probable cost.	ACTUAL OUTLAY.			
			To end of 1871-72.	During 1872-73.	During 1873-74.	Total to end of 1873-74.
		£	£	£	£	£
	Brought forward ...	...	4,133,573	1,055,733	1,266,325	6,455,631
	(II)					
	WORKS UNDER CONSIDERATION, AND FOR WHICH ESTIMATES HAVE BEEN PREPARED, BUT WHICH HAVE NOT YET BEEN SANCTIONED.					
20	Extension of works in Central Delta of Godavery ...	100,000	54,977	15,747	2,718	73,442
21	Kistna Delta—New works in— ...	130,000				
22	Canals in Bundelkhund—Betwa Project ...	302,000				
23	Swat River Canal ...	167,000				
		699,000				
	(III.)					
	WORKS PROPOSED AND UNDER SURVEY.					
24	Further works in extension of canals in Sindh ...	...	54,977	15,747	2,718	73,442
25	Canals in Tirhoot ...	...			
26	Derajat Canals ...	...			
	Total ...	...	4,188,550	1,071,480	1,269,043	6,529,073
	Less met from contributions(a) ...	...	4,917	200,630	48,946	254,493
		...	4,183,633	870,850	1,220,097	6,274,580
	Outlay provisionally classed as Extraordinary on certain works, the expenditure on which has been refunded, or will be refunded, from Ordinary grant ...	...	214,129	—99,931	—21,415	92,783
	GRAND TOTAL ...	...	4,397,762	770,919	1,198,682	6,367,363

NOTE.—In the case of Madras and Bombay specially, and in other Provinces generally, the outlay incurred from the Ordinary chargeable as Extraordinary. The probable cost shown above does not include charges for simple interest while work is under. The amounts of these several charges are omitted, because they are defrayed from Ordinary Fund.

(a)—Represents outlay from contributions given for the construction of the Sirhind Canal by His Highness the Maharaja of Patiala.

WORKS.

I

1879-80 on Irrigation Works in India,—(concluded).

PROBABLE OUTLAY.						Total outlay to end of 1879-80.	Deduct, met from contributions.	Balance outlay to end of 1879-80.	Item No.
1874-75. (Regular Estimate.)	1875-76. (Budget Estimate.)	1876-77.	1877-78.	1878-79.	1879-80.				
£	£	£	£	£	£	£	£	£	
1,336,747	1,395,000	1,211,529	1,175,573	1,111,982	942,596	13,629,058	814,493	12,814,565	
11,253	...	202,471	238,427	302,018	471,404	1,299,015	...	1,299,015	
1,348,000	1,395,000	1,414,000	1,414,000	1,414,000	1,414,000	14,928,073	814,493	14,113,580	
80,000	80,000	100,000	100,000	100,000	100,000	814,493	...	...
1,268,000	1,315,000	1,314,000	1,314,000	1,314,000	1,314,000	14,113,580	...	...
—10,000	—15,000	—14,000	—14,000	—14,000	—14,000	11,783	...	...
1,258,000	1,300,000	1,300,000	1,300,000	1,300,000	1,300,000	14,125,363	...	...

grant on the works enumerated above has been deducted from the probable cost of the projects, and the balance shown as amount construction, or leave and pension allowances, or capitalization of abatement of land revenue, or charge by exchange on payments in England.

His Highness the Raja of Jheend, and His Highness the Raja of Nabha.

IRRIGATION WORKS.

No. II.

Detailed Statement of the actual and estimated net direct revenue of Irrigation Works in Bengal and Northern India the 11 years ending in 1879-80.

This Table excludes the receipts due to Irrigation Works included in the Civil Accounts as a portion of Land Revenue.

[The revenue in Madras and Bombay including Sindh is excluded for want of a reliable separation of Land Revenue from Water Rates.]

WORKS.	NET ACTUAL DIRECT RECEIPTS.					NET ESTIMATED DIRECT RECEIPTS.					
	1869-70.	1870-71.	1871-72.	1872-73.	1873-74.	1874-75. Regular Estimate.	1875-76. Budget Estimate.	1876-77.	1877-78.	1878-79.	1879-80.
NET DIRECT REVENUE.	£	£	£	£	£	£	£	£	£	£	£
<i>Bengal.</i>											
Orissa Scheme—											
Midnapoor Canal ...	613	—5,975	—2,876	—3,573	—5,792	—1,441	—2,959	—1,300	200	2,200	3,000
Tidal Canal ...	129	—167	—1,444	583	...	3,113	3,747	4,000	4,000	4,000	5,000
Orissa Project ...	121	—587	—18,199	—20,138	—8,536	—14,121	—15,852	—22,000	—22,000	—21,000	—15,000
Soane Scheme ...	...	...	...	...	...	...	—3,948	—8,000	—10,000	—6,000	...
Total ...	863	—6,729	—22,519	—23,128	—14,328	—12,449	—19,012	—27,300	—27,800	—20,800	—10,000
<i>North-Western Provinces.</i>											
Ganges Canal ...	164,577	90,943	91,540	60,122	94,631	109,430	106,658	115,000	115,000	115,000	125,000
Eastern Jumna Canal ...	49,221	42,008	31,146	34,335	35,355	37,690	38,105	33,800	33,900	34,300	34,300
Doon Canals ...	1,973	1,404	2,086	2,286	2,494	2,395	1,775	2,550	2,850	2,950	2,900
Rohilkhund Canals ...	400	—2,146	—848	—2,694	—2,737	—3,487	791	450	11,150	11,350	11,500
Bundelkhund Works ...	—731	—389	—305	—328	—478	—458	—1,268	—600	—600	—600	—600
Agra Canal ...	...	...	...	...	...	—3,700	—260	—10,200	—6,300	—3,000	...
Lower Ganges Canal ...	...	...	...	...	...	...	...	...	...	...	...
Total ...	215,440	131,820	123,619	93,721	129,265	141,870	145,801	141,000	156,000	160,000	173,500
<i>Punjab.</i>											
Western Jumna Canal ...	74,405	116,884	71,651	62,182	63,032	65,720	61,299	70,000	70,000	70,000	70,000
Goorgaon Irrigation Works ...	—1,041	—1,304	—618	—658	—865	—1,366	—1,058	—500	—500	—500	—500
Baree Doab Canal ...	40,443	21,705	36,700	49,431	32,248	34,310	39,211	36,000	38,000	42,000	46,000
Lower Sutlej Canal ...	—3,392	—3,406	—3,792	—3,424	—4,252	—5,214	—4,987	—4,500	—4,500	—4,500	—4,500
Upper " " ...	—2,671	—3,393	—10,229	—9,162	—4,315	—3,532	—175	700	700	700	700
Indus Inundation Canals ...	—8,847	—11,656	—3,494	—20,623	—8,313	—13,880	—15,384	—11,200	—11,200	—11,200	—11,200
Shahpoor Canal ...	...	—22	146	275	129	250	312	500	500	500	500
Sirhind " ...	...	...	...	...	...	...	...	...	...	...	...
Total ...	98,897	118,808	90,364	78,021	77,664	76,288	79,218	91,000	93,000	97,000	101,000
GRAND TOTAL ...	315,200	243,899	191,464	148,614	192,601	205,709	206,007	204,700	221,200	236,200	264,300

NOTE.—This Statement shows only the net direct receipts derived, and likely to be derived, from the several works for the period stated. Some receipts are of water-rates as included in the Public Works Accounts, and miscellaneous receipts, such as tolls, rents, fines, &c., as included in the Civil Accounts. The portion of the land revenue due to Irrigation Works, and included in the Civil Accounts as Land Revenue, is added to get the total income as shown in Return No. III.

IRRIGATION WORKS.

No. III.

Detailed Statement of the actual and estimated net total income derived from Irrigation Works in Bengal and Northern India for the 11 years ending in 1879-80, including the enhancement of land revenue due to the Works.

[The revenue in Madras and Bombay including Sindh is excluded, see previous page.]

WORKS.	ACTUAL NET DIRECT AND INDIRECT RECEIPTS.					ESTIMATED NET DIRECT AND INDIRECT RECEIPTS.					
	1869-70.	1870-71.	1871-72.	1872-73.	1873-74.	1874-75.	1875-76.	1876-77.	1877-78.	1878-79.	1879-80.
	£	£	£	£	£	£	£	£	£	£	£
NET DIRECT AND INDIRECT REVENUE.											
<i>Bengal.</i>											
Orissa Scheme—											
Midnapoor Canal ...	613	—5,975	—2,876	—3,573	—5,792	—1,441	—2,959	—1,300	200	2,200	3,000
Tidal Canal ...	129	—167	—1,444	583	...	3,113	3,747	4,000	4,000	4,000	5,000
Orissa Works ...	121	—587	—18,199	—20,138	—8,536	—14,121	—15,852	—22,000	—22,000	—21,000	—18,000
Orissa Scheme ...	...	...	...	...	...	...	—3,948	—8,000	—10,000	—6,000	...
Total ...	863	—6,729	—22,519	—23,128	—14,328	—12,449	—19,012	—27,300	—27,800	—20,800	—10,000
<i>North-Western Provinces.</i>											
Ganges Canal ...	182,925	111,241	114,474	87,790	129,058	147,600	144,828	185,000	185,000	190,000	198,000
Western Jumna Canal ...	66,990	59,777	48,915	46,642	52,343	54,679	55,094	51,800	51,900	52,300	52,300
Other Canals ...	2,448	1,879	2,561	2,761	2,969	2,870	2,250	4,250	4,550	4,650	4,650
Alkhand Canals ...	400	—2,146	503	567	523	—225	4,053	3,650	17,150	17,350	17,550
Alkhand Works ...	—481	—134	—50	—73	—223	—204	—1,014	—400	—400	—400	...
Other Canal ...	...	...	...	...	...	—3,700	—260	—8,700	—3,400	—1,000	...
Western Ganges Canal ...	...	...	...	...	...	...	...	...	...	...	...
Total ...	252,282	170,617	166,403	137,687	184,670	201,020	204,951	235,600	254,800	262,900	272,500
<i>Punjab.</i>											
Western Jumna Canal ...	111,661	154,140	108,907	99,438	100,288	102,976	97,497	107,200	107,200	107,200	107,200
Gangaon Irrigation Works ...	1,412	1,149	1,835	1,795	1,588	1,087		1,900	1,900	1,900	1,900
Other Canal ...	60,946	47,848	61,741	67,749	51,093	54,310	59,211	61,000	63,000	67,000	71,000
Other Sutlej Canals ...	17,938	17,924	17,538	17,906	17,078	16,116	16,343	16,800	16,800	16,800	16,800
Other " " ...	120	—602	—7,438	—6,371	2,039	2,827	6,180	13,400	13,400	13,400	13,400
Inundation Canals ...	—753	—3,562	4,600	—12,529	8,659	2,904	1,588	5,800	5,800	5,800	5,800
Other Canal ...	...	—22	146	275	129	250	312	500	500	500	500
Other " " ...	...	...	...	...	...	...	...	...	...	...	...
Total ...	191,324	216,875	187,329	168,263	180,874	180,470	181,131	206,600	208,600	212,600	216,600
GRAND TOTAL ...	444,469	380,763	331,213	282,822	351,216	369,041	367,070	414,900	435,600	454,700	479,100

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay— (June 17th)		
<i>Sindh</i> (16th)		
Kurrachee "	...	River at Kotree on 12th fallen 15 inches; it is 53 inches lower than on the same date last year; heavy rain in Tuppa Bado on 31st; hill torrents flowing, and much ground soaked; fish in bunds in Sehwan taluka dying from a disease said to be caused by great heat; fever in Johee, Sehwan, Jati and Mirpur Batora; cattle disease disappeared in Kurrachee; camels in Kotree taluka suffering from disease.
Shikarpur "	...	Kharif sowing commenced; nights continue cool; river 9 feet 10 inches, 4 feet lower than previous year; public health good.
Hyderabad "	...	State of crops the same as before; continual lowness of river is causing anxiety; small-pox in taluka Mirpurkhas on Umarkot road; weather cooler; high winds from south-west; public health good; disease among goats in Tanda Ashar.
Upper Sind Frontier "	...	Days very hot; nights cooler than usual; water supply in canals quite inadequate, and more very much required; diarrhoea continues at Khyri Garhi; deaths from heat and fever.
<i>Gujarat.</i>		
Ahmedabad (June 16th)	...	74 cases of cholera, 18 deaths.
Kaira "	...	Cholera abated in Neriad; continues in Mehmabad, Kapadwanj and Heasra, 109 deaths out of 279 cases; weather sultry.
Surat "	0.79	Weather and public health good.
Broach "	...	Sowing operations progressing; cholera abating.
<i>Khandesh and Nasik.</i>		
Khandesh (June 16th)	0.99	Rain throughout the Collectorate; cholera continues, 280 deaths out of 95 cases this week; cotton market dull; sowing commencing.
Nasik "	...	Rain throughout the Collectorate; cholera still in a few villages; cattle disease in Dindori and Jeola; weather cooler.
<i>Konkan.</i>		
Tanna (June 16th)	1.29	Weather cloudy and sultry; cholera at Tanna and in four talukas.
<i>Deccan.</i>		
Poona (June 16th)	...	Slight rain at head-quarters and in some talukas; cholera and cattle disease continue in a few talukas; 41 deaths from the former at Khed.
Ahmednuggur "	0.11	Sowing operations delayed for want of rain; cholera in eight and cattle disease in four talukas; 8 deaths in Sangamner taluka.
Sholapur "	3.0	No change.
Satara "	0.96	Fever and cough at Mahableshwar; ague in Patun; cattle disease in six talukas.
<i>Southern Mahratta Country.</i>		
Belgaum (June 16th)	0.48	Rice sowing in progress.
Dharwar "	1.26	Sowing of early crops progressing; public health the same as before.
Kanara "	5.0	Season favourable; sowing operations progressing well; fever and cattle disease prevalent as usual, and small-pox on the coast.
Kaladgi "	.59	Fever and cattle disease still prevalent in some talukas.
<i>Kathiawar and Gackwar's territory.</i>		
Rajkot (June 16th)	...	Weather very hot; public health good.
Wudwan "	2.28	Health good; sowing commenced.
Baroda "	...	No change.
		<i>General Remarks.</i> —Monsoon general throughout nearly the whole of the Presidency.
Bengal—		
Chittagong (June 17th)	15.42	
Noakhally "	12.74	
Tipperah "	8.15	
Chittagong Hill Tracts, "	2.33	
Hill Tipperah "	3.11	
Backergunge "	1.61	Cattle disease abating; the disorder among the fish still continues. Health of the people is generally satisfactory.
Fureedpore "	7.01	The health of the district is good on the whole.
Dacca "	9.63	
Mymensingh "	6.14	
24-Pergunnahs "	1.76	Fever decreasing at Barripore, but increasing in Baserhat Sub-division. Some cases of cholera reported from Selkhira.
Nuddea "	7.37	
Jessore "	3.95	
Pubna "	.86	General health good.
Moorshedabad "	3.76	Small-pox still in Soojagunj, general health good.
Rajshahye "	3.30	No sickness.
Bogra "	3.75	
Maldah "	3.44	
Dinapore "	4.64	
Rungpore "	9.28	
Cooch Behar "	3.58	Cholera disappearing gradually.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal,—continued.		
Jalpaiguri (June 17th)	13.23	
Midnapore "	1.7	
Howrah "	.67	
Hooghly "	4.68	Health good.
Burdwan "	2.98	
Bankoora "	.97	
Beerbhoom "	3.44	
Sonthal Pergunnahs "	3.91	
Bhāgalpur "	...	Health good.
Purneah "	2.9	
Chumparun "	3.80	
Darbangha "	3.22	
Mozufferpore "	...	Cholera still continues.
Sarun "	...	General health good.
Shahabad "	...	A few cases of cholera and small-pox still remain.
Patna "	...	Cholera prevalent throughout the District, bad still in three villages of the Behar Sub-Division.
Gya "	1.2	Cholera spread in Aurungabad, Nondat and part of Jehanabad.
Hazāribāgh "	1.71	
Lohardugga "	2.49	Cholera and small-pox are still reported.
Maunbhoom "	1.78	
Singbhoom "	2.39	Healthy.
Balasore "	...	Cholera in the north has ceased.
Cuttack "	1.5	Cholera still hanging about, chiefly in Kendrapara and around it.
Pooree "	1.45	
<i>General Remarks.</i> —Rain has fallen in almost all the Districts of Bengal and in some has been very heavy. The rain has improved the state and prospects of the crops generally, especially where they were suffering from want of it. A further fall is urgently required in the Medehapoorā sub-division of Bhāgalpur for the Bhadoi crops. Harvesting of spring rice is everywhere completed and cheena millet is being reaped in places. Indigo manufacture has commenced in places. Early rice, jute, indigo, millets, sugarcane, mulberry, &c., are all doing well. Sowing of the main rice amun is also progressing favourably. Tillage is being carried on vigorously, and the prospects of the season are generally good.		
N. W. P.—		
Benares (June 16th)	...	Storm and heavy rain on 13th.
Mirzapur "	...	Daily clouds and storms, and 2 inches of rain in the south, but little elsewhere.
Azimgurh (14th)	...	1.8 inches of rain at head-quarters on the 11th and 12th, and much more in the east of the district; sugar-cane and indigo doing well.
Cawnpore (16th)	...	Occasional storms; prospects good.
Allahabad "	.50	
Banda "	on 13th & 14th	
Hamirpur (17th)	2	
Jhansi (15th)	on the 13th	
Agra (16th)	...	Light showers on 14th and 15th; cholera still prevalent.
Bareilly "	Nil	High westerly winds with clouds but no rain; heat less.
	...	Clouds gathering.
	...	Clouds and slight showers, prospect of rain.
Punjab—		
Delhi (June 16th)	.3	Cholera in one village, otherwise health of district good.
Hissar "	Nil	Water in tanks drying up; ploughing for crops not commenced; health good.
Umballa "	...	Cholera appeared in two villages.
Jullundur "	...	Health good.
Lahore "	...	Ditto.
Rawul Pindi "	.16	Public health good; cattle disease continues.
Mooltan "	Nil	Kharif sowings commenced; health good.
Peshawur "	...	Fever prevalent.
<i>General Remarks.</i> —General health and prospects of the province continue good.		
Oudh—		
Lucknow (June 16th)	.4	} Prices favorable; weather uncertain and wind variable; heat oppressive; kharif operations progressing; cholera decreasing.
Fyzabad "	1.1	
Sitapur "	1.	
Central Provinces—		
Upper Godavari (June 12th)	1.83	Small-pox prevalent; prices easy.
Sambalpur "	1.64	Kharif ploughing progressing; health good.
Bilaspur "	.95	Dry sowings commenced in places; cholera prevalent; prices easy.
Raipur (13th)	2.10	Weather cloudy and stormy; kharif ploughing progressing; cholera prevalent; prices easy.
Chanda "	2.97	Kharif ploughing continues; prices steady.
Balaghāt (14th)	1.50	Kharif sowings commenced; small-pox continues; prices steady.
Chhindwara "	1.60	Weather cloudy; ploughing continues; health good; prices stationary.
Bhandara (15th)	.69	Weather cloudy; ploughing continues; 3 fatal cholera cases towards Raipur boundary; fever and small-pox prevalent; prices easy.

Comparative Statement of Sea Customs Revenue (excluding Salt Revenue) for the first two months of the official year 1875-76 and of the four previous years.

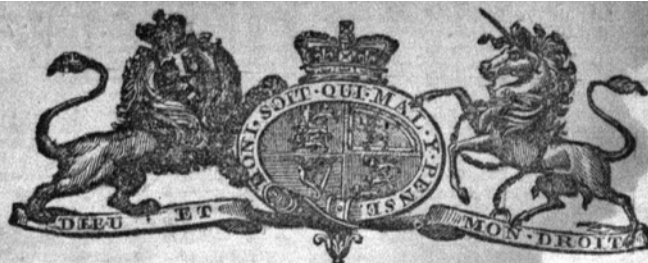
FOR THE MONTHS OF APRIL AND MAY.

	1871-72.			1872-73.			1873-74.			1874-75.			1875-76.		
	Imports.	Exports.	Total.	Imports.	Exports.	Total.	Imports.	Exports.	Total.	Imports.	Exports.	Total.	Imports.	Exports.	Total.
	{ Gross	{ Net		{ Gross	{ Net		{ Gross	{ Net		{ Gross	{ Net		{ Gross	{ Net	
BENGAL	13,33,183	3,62,311	16,95,494	12,19,015	4,24,239	16,43,254	11,12,665	2,75,002	13,87,667	12,14,970	2,39,199	14,54,169	14,46,605	3,00,963	17,47,568
	...	...	16,79,015	...	...	16,32,237	...	...	13,71,994	...	...	14,29,383	14,39,800	2,95,191	17,34,991
BOMBAY	7,14,091	82,590	7,96,681	8,80,277	90,147	9,79,424	7,43,331	80,114	8,23,445	6,86,630	90,499	7,77,129	9,73,653	2,16,982	11,90,635
	...	...	7,14,636	...	...	8,86,316	...	...	7,61,832	...	...	6,97,942	9,70,634	2,13,694	11,84,328
SINDH	32,379	24,426	56,805	34,384	72,059	1,06,443	24,337	22,497	46,834	30,748	22,076	52,824	38,983	54,237	93,220
	...	...	56,670	...	...	1,06,162	...	...	46,545	...	...	52,384	38,028	53,359	91,387
MADRAS	2,55,080	2,61,531	5,16,611	2,80,082	1,94,278	4,74,360	2,82,470	2,47,190	5,29,660	2,88,437	1,89,977	4,78,414	2,87,439	2,18,970	5,06,409
	...	...	5,13,805	...	...	4,67,194	...	...	5,24,076	...	...	4,76,275	2,87,084	2,18,970	5,06,064
BRITISH BURMA	98,589	6,01,227	6,99,816	1,54,228	8,36,754	9,90,982	1,46,660	9,18,992	10,65,652	1,87,767	7,50,408	9,38,175	1,52,103	12,24,126	13,76,239
	...	...	6,98,968	...	...	9,76,209	...	...	10,46,111	...	...	8,78,622	1,50,371	11,85,694	13,36,065
TOTAL	24,33,322	13,32,085	37,65,407	25,76,986	16,17,477	41,94,463	23,09,463	15,43,795	38,53,258	24,08,552	12,92,159	37,00,711	28,98,783	20,15,278	49,14,061
	...	...	38,63,094	...	...	40,68,118	...	...	37,50,558	...	...	35,34,606	28,85,927	19,66,908	48,52,835

N.B.—1. The nett Customs collections on imports and exports in the years prior to 1875-76 cannot be shown separately as refunds and drawbacks on imports and exports are not distinguished, but lumped together in the local returns.

2. The figures for British Burma for 1875-76 include the collections at Tavoy and Mergui for the month of April 1875 only.

A. O. HUME,
Secretary to the Government of India.



EXTRA SUPPLEMENT TO The Gazette of India.

No. 26.}

SIMLA, SATURDAY, JUNE 26, 1875.

{ Register
No. 75.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

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GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR THE ENDING THE 24TH JUNE 1875.

GENERAL REMARKS.—The monsoon is not yet general throughout India. In Madras the falls have been scanty, except in Malabar. In Bombay rain is reported from every district except Sind: below the Ghâts it has been heavy, but more is required in the Deccan and Gujarat. In Sind the river is still low. The rain has been general throughout the Central Provinces and Berar. In Bengal the falls have been heavy, the returns from Bhâgalpur, Sarun and Darbhanga and parts of Chota Nagpûr only being blank. In the North-Western Provinces the monsoon has not yet passed westward of Allahabad, although showers and storms have occurred in these tracts. In Oudh also it is not yet general. In the Punjab slight falls are reported from only three districts. In Rajputana there have been storms and showers. Prospects are satisfactory.

Presidency or Province and District.		Rainfall for week preceding.	State of agricultural prospects.
Madras—			
Kistna	(June 24th)	·30	Rain at Masulipatam two inches; in Palnad about one inch; elsewhere seven inches above anicut; canals not opened; agricultural operations commencing; markets well supplied locally; prices steady; mild small-pox still reported; cattle disease at Palnad; dry fodder used.
Kurnool	(23rd)	0·53 in five days.	Pretty good rain in two taluks; slight elsewhere; yellow jonna and saija being sown in red soils; markets well supplied; prices rising in Ramulkota and Pattikonda; stationary elsewhere; fever and small-pox prevalent; cattle healthy; water and pasture sufficient; no water over Sunkesala anicut.
Tanjore	(24th)	0·65 at Negapatam.	Rain elsewhere moderate; water supply scanty in rivers and tanks; water over anicuts nil; cultivation going on in parts; standing crops very few, generally good; harvest, gingelly seed, yield fair; markets well supplied; prices steady; cholera prevalent, more especially in Negapatam and Nannilam; cattle generally healthy, some loss in Mayaveram and Shealli; pasture improving.
Trichinopoly	(23rd)	Nil	Water supply sufficient; crops good order; cholera in town of Trichinopoly, increased since the rain, several cases in districts.
Malabar	(24th)	12·90	Rain favorable for cultivation; transplanting of first crop in progress; markets well supplied; prices increasing; small-pox and fever slight; cattle healthy; pasture much improved.
			<i>General Remarks.</i> —General prospects satisfactory.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay— (June 24th)		
<i>Sindh</i>		
Kurrachee (23rd)	...	River at Kotree on 19th 45 inches lower than on the same date last year. Nara still closed; rice seedlings in Shahbandar division suffering for want of water; weather cloudy; high moonsoon winds.
Shikarpur "	...	All canals open; weather warmer; river 11 feet 7 inches, 10 inches less than last year.
Hyderabad "	...	Crops the same as before; river much higher; all canals flowing; public health good; strong moonsoon winds.
Upper Sind Frontier "	...	Heat oppressive; Begari and branches dry; deep anxiety respecting kharif crops.
<i>Gujarat.</i>		
Ahmedabad (June 23rd)	1.3	Cholera abating—41 cases, 5 deaths.
Kaira "	1.21	Sowing commenced; cholera cases 257, deaths 95; weather cloudy.
Surat "	5.92	Rainfall general; sowing operations commenced; weather very cloudy; public health good.
Broach "	3.86	Slight cholera prevails; kharif sowings progressing.
<i>Khandesh and Nasik.</i>		
Khandesh (June 23rd)	1.98	202 deaths from cholera out of 579 cases; kharif and cotton sowing commenced.
Nasik "	3.34	Rainfall general, but not sufficient for sowing; a few cases of cholera, district otherwise healthy.
<i>Konkan.</i>		
Tanna (June 23rd)	9.68	Cholera prevalent; sowing operations commenced.
<i>Deccan.</i>		
Poona (June 23rd)	4.20	Rainfall general; cholera and cattle-disease continue in a few talukas; sowing of kharif partially commenced in three talukas.
Ahmednuggur "	1.3	More rain wanted; cholera in eight and cattle-disease in three talukas; sowing operations commenced in some places.
Sholapur "	1.35	Sowing of early crops commenced.
Satara "	0.76	Sowing operations commenced; cattle-disease in six talukas; ague in Patun.
<i>Southern Mahratta Country.</i>		
Belgaum (June 23rd)	2.30	Sowing of rice in progress.
Dharwar "	...	Little rain, more wanted; sowing of early crops progressing; fever, ague and cattle-disease slightly prevalent.
Kanara "	19.5	Sowing operations continue; rice crop satisfactory; fever, small-pox and cattle-disease prevalent.
Kaladgi "	1.87	Sowing operations commenced; fever and cattle disease prevalent.
<i>Kathiawar.</i>		
Rajkot (June 23rd)	1.44	Weather cloudy; sowing operations commenced; health good.
Wudwan "	1.90	Weather cloudy; health good.
Bengal—		
Chittagong (June 24th)	2.94	Cholera decreasing.
Noakhally "	9.06	In the interior slight increase of fever and bowel complaint and of fever among the prisoners at head-quarters. The epidemic of worms has broken out both among river and tank fish.
Tipperah "	3.36	
Chittagong Hill Tracts, "	11.65	
Hill Tipperah "	10.73	Public health good.
Backergunge "	6.21	} General health good.
Fureedpore "	7.50	
Dacca "	1.90	
Mymensingh "	7.39	
24 Pargunnahs "	5.16	Fever decreasing at Barripore, a mild form of it prevailing at several places in Sub-Division Basirhat; a few cases of cholera reported from Satkhira.
Nuddea "	2.31	
Jessore "	12.84	
Pubna "	5.49	Small-pox reported in the extreme south-west of the district and cholera at a village 12 miles west of Surajganj.
Moorshedabad "	3.05	At the commencement of the week outbreak of cholera in Sujaganj, 7 attacked and 2 died; small-pox still continues in a mild form also at Nulhatty and Danigram.
Rajshahye "	2.97	No sickness prevalent.
Bogra "	2.22	
Maldah "	.76	
Dinapore "	4.90	
Rungpore "	4.0	
Cooch Behar "	11.86	Cholera decreasing.
Jalpaiguri "	3.92	Cholera is still prevalent in many parts of the district, and is reported to have broken out with great severity in the Mech villages in the Duars.
Midnapore "	9.58	
Howrah "	3.42	
Hooghly "	4.21	Health good, except a little cholera.
Burdwan "	2.4	
Bankoora "	3.64	
Beerbhoom "	9.03	
Sonthal Pargunnahs "	5.21	

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal,—continued.		
Bhágálpur (June 24th)	...	} General health good.
Chumparun "	3.55	
Sarun "	...	} Cholera still prevalent throughout the district in parts of Behar sub-division. Cholera still bad in Aurungabad and extending in Nowdah.
Darbangha "	...	
Mozufferpore "	2.70	} Cases of cholera and small-pox are still reported.
Patna "	1.61	
Gya "	1.31	} Healthy.
Hazáribágh "	.88	
Lohardugga "	1.42	} Public health good.
Maunbhoom "	2.32	
Singbhoom "	...	} A little cholera still around Kendrapara; public health otherwise good.
Balasore "	...	
Cuttack "	9.05	} <i>General Remarks.</i> —The monsoon has regularly set in and rain is reported in almost all the districts of Bengal; in some it has been very heavy and flooded the land, but it has benefitted the crops generally; in a few places it has submerged the crops in low land, and injured them to some extent; more rain is wanted in a few districts. Sowing and transplanting of the main rice are progressing vigorously. The prospects of the early rice look favourable, and it is being harvested in Rungpore. Indigo is doing well and is being manufactured in places; cattle disease in Backerganj and Noakhally. Prospects are on the whole satisfactory.
Pooree "	1.73	
N. W. P.—		
Benares (June 23rd)	...	Rains set in on 21st.
Mirzapur "	...	Rains set in on 21st, with partial showers from one to three inches; river rising slightly.
Allahabad "	...	Looks like commencement of rains; about an inch rainfall generally; ploughing begun in some parts.
Cawnpore	} ...	} No general rain; prospects good.
Jaunpur (June 22nd)		
Banda (23rd)	...	Rains still holding off; no change.
Harnirpur (24th)	Nil	Some cattle disease reported.
Jhansi (22nd)	...	Clouds without rain; variable winds and great heat.
Agra (23rd)	...	Slight storms with showers; rains holding off.
Meerut "	Nil	Slight clouds.
Bareilly "	1.9	
	on the 18th.	
Punjab—		
Delhi (June 23rd)	Nil	Cholera in two villages.
Hissar "	.3	Weather seasonable; showers in a few villages of Sirsa District; preparing for kharif sowings where rain has fallen; health good.
Balla "	Nil	Cholera appeared in a few villages, but no fresh cases for last two days.
Andur "	Nil	Health good; heat intense.
" "	.9	Health good.
Pindi "	.20	Health good; cattle disease continues.
	more wanted.	
Moolta "	Nil	Kharif sowings under average owing to deficiency of canal water; health good.
Dera Is. il Khan "	Nil	Rain much required; health good.
Peshawur "	Nil	Slight fever in district.
<i>General Remarks.</i> —General health of the province good, the few cases of cholera confined to the Southern Districts; measures taken to prevent spread of cattle disease in the districts in which it has appeared. Weather on the whole seasonable.		
Oudh—		
Lucknow (June 23rd)	.1	} Prices stationary; weather cloudy, but rain not yet general; kharif operations progressing; cholera still exists.
Sitapur "	Nil	
Fyzabad "	1.3	
Central Provinces—		
Upper Godavari (June 19th)	4.24	Small-pox continues; prices easy.
Chanda (20th)	2.29	Rice sowing commenced; cattle disease decreasing; prices steady.
Balaghát (21st)	3.0	Weather cloudy; kharif sowing commenced; small-pox continues; prices rising.
Chhindwara "	1.64	Kharif sowing commenced; health good; prices steady.
Bhandara (22nd)	3.88	Cloudy weather; kharif sowings commenced; fever decreasing; cholera and small-pox continue.
Nagpur (23rd)	3.20	Weather cloudy; kharif sowings commenced; health good; prices stationary.
Wardha "	5.90	Kharif sowings commenced.
Nimar "	2.48	Kharif sowings commenced; 36 cholera cases, 5 fatal; prices rising.
Hoshangabad "	2.69	48 cholera cases, 19 fatal; kharif sowings commenced.
Betul "	2.47	Kharif sowings commenced.
Narsinghpur "	2.17	17 cholera cases, 8 fatal.
Jubbulpore "	1.45	Small-pox continues.
Saugor "	1.45	Weather cloudy; small-pox continues; prices steady.
Seoni "	3.25	Health good.
Mandla "	3.50	Kharif sowings progressing; prices stationary.
Damoh "	.90	Small-pox declining.
<i>General Remarks.</i> —Monsoon set in with moderation; rainfall not great; weather cloudy and promising; cholera still hangs about Narbada Valley.		

TELEGRAPHIC ABSTRACT.

Financial statement by the Hon'ble Sir William Muir, K. C. S. I., published this day.

Accounts of 1873-74: Revenue, £49,611,711; ordinary expenditure, £51,404,448, of which £3,864,673 for famine relief; public works extraordinary, £3,553,307; total £54,957,755. Surplus excluding extraordinary and famine relief, £2,071,936. Deficit excluding extraordinary, £1,792,737. Deficit including extraordinary, £5,346,044.

Regular Estimates of 1874-75: Revenue £50,070,000; ordinary expenditure, £50,623,000, of which £2,442,000 for famine relief; public works extraordinary, £4,035,000; total £54,658,000. Surplus excluding extraordinary and famine relief £1,889,000. Deficit excluding extraordinary, £553,000. Deficit including extraordinary, £4,588,000.

Budget estimates of 1875-76: Revenue £49,820,000; ordinary expenditure, £49,314,000; public works extraordinary, £4,300,000; total, £53,614,000. Surplus excluding extraordinary, £506,000. Deficit including extraordinary, £3,794,000.

Loans to be raised in 1875-76, £2,860,000, of which £360,000 from Sindhia and Holkar for railways. Remaining two and half millions by loan in India, terms to be advertised hereafter. No borrowing in England.

No fresh taxation in 1875-76.

Estimated cash balances in India at end of 1874-75, £15,700,042, at end of 1875-76, £14,967,642.

FINANCIAL DEPARTMENT,
13th March 1875.

}

N. B.—This Abstract has been telegraphed to the Secretary of State in London.



The Gazette of India, EXTRAORDINARY.

Published by Authority.

CALCUTTA, THURSDAY, JANUARY 14, 1875.

FOREIGN DEPARTMENT.

PROCLAMATION.

TO ALL WHOM IT MAY CONCERN,

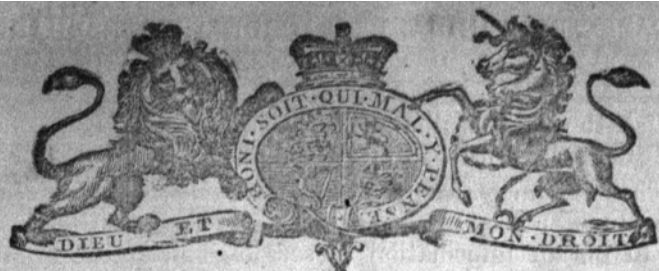
BE IT KNOWN that *Whereas* an attempt has been made at Baroda to poison Colonel R. Phayre, C. B., the late British Resident at the Court of His Highness the Guikwar, and evidence has been adduced to the effect that His Highness Mulhar Rao Guikwar instigated the said attempt to administer poison to Colonel Phayre ;

And Whereas to instigate such attempt would be a high crime against Her Majesty the Queen and a breach of the condition of loyalty to the Crown under which Mulhar Rao Guikwar is recognized as ruler of the Baroda State, and moreover such an attempt would be an act of hostility against the British Government, and it is necessary fully and publicly to enquire into the truth of the charge and to afford His Highness Mulhar Rao Guikwar every opportunity of freeing himself from the grave suspicion which attaches to him ;

And Whereas in consequence thereof it is necessary to suspend Mulhar Rao Guikwar from the exercise of power and to make other arrangements for the administration of the Baroda State :

It is hereby notified that from this date the Viceroy and Governor General of India in Council temporarily assumes the administration of the Baroda State, and delegates all the powers necessary for the conduct of the administration to the Agent to the Governor General and Special Commissioner at Baroda. The administration will be conducted as far as possible in accordance with the usages, customs, and laws of the country.

All Sirdars, Inamdars, Zemindars, and inhabitants of the Baroda territories, and all officers and persons whatsoever in the civil and military service of the Baroda State, or liable to be called upon for such service, are hereby required to submit to the authority of and render obedience to the said Agent to the Governor General and Special Commissioner during such time as the State may be under the administration of the British Government.



The Gazette of India,

EXTRAORDINARY.

Published by Authority.

CALCUTTA, MONDAY, FEBRUARY 15, 1875.

FOREIGN DEPARTMENT.

NOTIFICATION.

POLITICAL.

Fort William, the 15th February 1875.

No. 550 P.

The following instructions issued to the Commission appointed to investigate the charges against His Highness Mulhar Rao Gaekwar of Baroda are published for general information:—

To

The Honourable Sir Richard Couch, Knight Bachelor, and Chief Justice of Her Majesty's High Court of Judicature at Fort William in Bengal;

His Highness Mookhtar-ool-Moolk, Azem-ool-Iktidar, Ruffi-oos-Slan, Wala Shikoh, Mohtashim-i-Douran, Oomdut-ool-Oomrah, Maharaja Dheeraj, Alijah Maharaja Jeeajee Rao Sindiah Bahadoor, Sreenath, Munsoor-i-Zaman, Fidvee-i-Huzrut Malikah-i-Mooazuma, Ruffi-ood-Durjeh-i-Inglistan, Maharaja of Gwalior, Knight Grand Commander of the Most Exalted Order of the Star of India;

His Highness Siramad-i-Rajaha-i-Hindoostan, Raj Rajender Sree Maharaja Dheeraj Sewaee Ram Sing Bahadoor, Maharaja of Jeypoor, Knight Grand Commander of the Most Exalted Order of the Star of India;

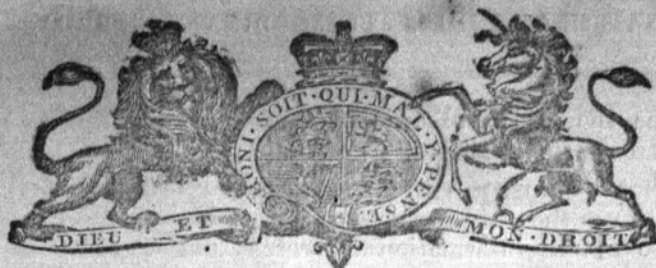
Colonel Sir Richard John Meade, Knight Commander of the Most Exalted Order of the Star of India, and Chief Commissioner of Mysore and Coorg;

Raja Sir Dinkur Rao, Knight Commander of the Most Exalted Order of the Star of India; and

Phillip Sandys Melville, Esquire, of the Bengal Civil Service, and a Commissioner in the Punjab.

WHEREAS an attempt has been made at Baroda to poison Colonel R. Phayre, C.B., the late British Resident at the Court of His Highness Mulhar Rao Gaekwar; AND WHEREAS the following offences are imputed against the said Mulhar Rao Gaekwar, that is to say:—

I.—That the said Mulhar Rao Gaekwar did by his agents and in person hold secret communications for improper purposes with some of the servants employed by Colonel Phayre, the Resident at Baroda, or attached to the Residency;



The Gazette of India, EXTRAORDINARY.

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The Gazette of India,

EXTRAORDINARY.

Published by Authority.

CALCUTTA, TUESDAY, MARCH 9, 1875.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 9th March 1875, and is hereby promulgated for general information:—

ACT No. X OF 1875.

THE HIGH COURTS' CRIMINAL PROCEDURE ACT, 1875.

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THE SCHEDULE.—Enactments repealed.

An Act to regulate the Procedure of the High Courts in the exercise of their original criminal jurisdiction.

WHEREAS it is expedient to consolidate and amend the law relating to the procedure of the High Courts in the exercise of their original criminal jurisdiction; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. This Act may be called "The High Courts' Criminal Procedure Act, 1875 :"
- Short title.
- Local extent. It extends to the whole of British India;
- Commencement. And it shall come into force on the first day of May 1875.

2. The enactments mentioned in the schedule hereto annexed are repealed to the extent mentioned in the third column of the said schedule, but not so as to revive any practice thereby abolished.

And all rules made under any of the said enactments shall be deemed to have been made under this Act, so far as they are consistent herewith.

3. In this Act, unless there be something repugnant in the subject or context—

“High Court” includes all High Courts established or to be established under the twenty-fourth and twenty-fifth of Victoria,

Chapter 104, the Chief Court of the Panjáb, and such other Courts as the Governor-General in Council may, from time to time, declare to be invested with the powers of a High Court under this Act:

“Chief Justice” includes also the Senior Judge of a Chief Court:

“Advocate General” includes also a Government Advocate:

“Clerk of the Crown” includes any officer specially appointed by the Chief Justice to discharge the

functions given by this Act to the Clerk of the Crown; and

“Magistrate” includes also a Police Magistrate in the Towns of Calcutta, Madras and Bombay:

“European British Subject” “European British Subject” means—

(a) all subjects of Her Majesty born, naturalized or domiciled in the United Kingdom of Great Britain and Ireland or in any of the European, American or Australian colonies or possessions of Her Majesty, or in the colonies of New Zealand, the Cape of Good Hope and Natal;

(b) the children and grandchildren of any such person by legitimate descent:

“Prosecutor” includes every person conducting a prosecution on behalf of Her Majesty:

“Offence” denotes anything made punishable by any law for the time being in force; and

words which refer to acts done extend also to illegal omissions.

CHAPTER II.

OF SESSIONS.

4. For the exercise of its original criminal jurisdiction, every High Court shall hold sittings on such days and at such convenient intervals as the Chief Justice of such Court from time to time appoints.

5. The High Court shall hold its sittings at the place at which it now holds them, or at such other place (if any) as the Governor-General in Council in the case of the High Court at Fort William, and as the Local Government in the case of the other High Courts, may direct. But it may, from time to time,

in the case of the High Court at Fort William, with the consent of the Governor-General in Council,

in all other cases, with the Local Government, hold sittings at such other places within the local limits of its appellate jurisdiction as the High Court appoints.

Such officer as the Chief Justice directs shall give notice beforehand in the local official Gazette of sittings intended to be held for the exercise of the original criminal jurisdiction of the High Court.

CHAPTER III.

OF PROCEDURE ON COMMITMENTS.

6. The provisions of this Act shall apply to all criminal cases triable by the High Court.

7. When any person is committed for trial before a High Court, the Clerk of the Crown, or, if there is not a Clerk of the Crown, a Judge of the High Court, shall, on receipt of the charge, peruse and consider it, and may, if it appear necessary or expedient so to do, redraw the same, having regard to the form of charges contained in the Criminal Procedure.

8. If a prisoner is committed to the Court without any charge at all, the Clerk of the Crown, or, if there be not a Clerk of the Crown, a Judge of the High Court, may draw up a charge, having regard to the rules referred to in section seven. If a prisoner committed upon a charge which the Court, upon reference to the proceedings before the committing Magistrate, considers improper, the Court may draw up a charge for any offence or offences which it considers to be proved by the evidence taken before the committing Magistrate.

9. Any accused person may apply to the Court for an amendment of the charge made against him; and in considering whether any error in charge did in fact mislead the accused person, the Court shall take into account the fact that he did or did not make such an application.

10. The Court may, upon the application of the accused person, or of the prosecutor, or upon its own motion, amend or alter any charge at any stage of the proceedings before the verdict of the jury is delivered. Such amendment shall be explained to the accused person.

11. If the amendment or alteration is such that proceeding immediately with the trial is not likely to prejudice the accused person in his defence, it shall be at the discretion of the Court, after making such amendment or alteration, to proceed with the trial as if the amended charge had been the original charge.

12. If the amendment or alteration is such that proceeding immediately with the trial is likely, in the opinion of the Court, to prejudice the accused person in his defence, the Court may either direct a new trial, or suspend the trial for such period as may be necessary to

SECTION 105. A person charged with an offence may make his defence to the charge.

105. Levy of altered charge; and, after hearing the Court may, if it thinks fit, further trial, to admit of the appearance of the person whose evidence the Court may consider material to the case, or whom the accused person may wish to be summoned in his defence.

106. The charge, with such alterations (if any) as may have been made therein, shall be recorded in the High Court and a copy of such charge shall be given to the person gratis, if he demands it.

Copy of charge.

107. The person charged shall also be entitled to a copy of his own examination before the committing Magistrate, and to copies of examinations of witnesses upon whose deposition he has been committed, and of all documents and made exhibits as part of such depositions.

108. The committing Magistrate, if the person demands them a reasonable time before he comes on for trial and pays for the reasonable sum not exceeding one anna for every ninety words.

Or the Court may for any special reason remit such payment.

109. When any charge, or portion of a charge, is altered, the person charged shall be entitled to a copy of the charge as altered, and to a copy of the examination of the witnesses upon whose deposition he has been committed, and of all documents and made exhibits as part of such depositions. The committing Magistrate, if the person demands them a reasonable time before he comes on for trial and pays for the reasonable sum not exceeding one anna for every ninety words. Or the Court may for any special reason remit such payment.

15. In all cases of amendment or alteration of a charge during the trial, the prosecutor and accused person shall be allowed to call and examine any witness who may have been examined.

16. If the offence stated in the amended or altered charge be one for the prosecution of which previous sanction is necessary, the case shall not be proceeded with until such sanction is obtained; unless sanction has been already obtained for a prosecution on the same facts as those on which the amended or altered charge was founded.

Joinder of Charges.

17. There must be a separate charge for every distinct offence of which any person is accused, and every such charge must be tried separately, except in the cases hereinafter extended.

Illustration.

18. A is accused of a theft on one occasion, and of causing grievous hurt on another occasion. A must be separately charged and separately tried for the theft and the causing grievous hurt.

18. When a person is accused of more offences than one of the same kind, committed within one year of each other, he may be charged and tried at the same time for any number of them not exceeding three.

EXPLANATION.—Offences are said to be of the same kind under this section if they fall within the provisions of section twenty.

19. I. If in one series of acts, so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with and tried for every such offence at the same time.

II. If the acts alleged constitute an offence falling within two or more separate definitions of any law in force for the time being, by which offences are defined or punished, the person accused of them may be charged with each of the offences so committed; but he must not receive a more severe punishment than could be awarded for any of such offences.

III. If several acts, of which one or more than one would by itself constitute an offence, form, when combined, a different offence, the person accused of them may be charged with any one of the different offences, which he may have committed; but he must not receive a more severe punishment than could be awarded for any one of such offences.

(a.) A, with intent to cause injury to B, institutes proceedings against him, knowing there is no just or lawful ground for such proceedings. A also, in the course of the proceedings, falsely charges B with having committed an offence. A may be separately charged with, convicted of, and punished for, two offences under section 211, Indian Penal Code.

(b.) A has in his possession several seals with the intention of committing forgery. A may be separately charged with, convicted of, and punished for, the possession of each seal for a distinct forgery under section 473, Indian Penal Code.

(c.) A, with intent to injure B, brings a false charge against him of having committed an offence. On the trial, A gives false evidence against B. A may be separately charged with, convicted of, and punished for, offences under sections 211 and 194 or 195, Indian Penal Code.

(d.) A, knowing that B, a female minor, has been kidnapped, wrongfully confines her and detains her as a slave. A may be separately charged with, convicted of, and punished for, offences under sections 368 (read with 367) and 370, Indian Penal Code.

(e.) A, with six others, commits the offences of rioting, grievous hurt to B, and of assaulting C, a public servant engaged in suppressing the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147, 325 and 152, Indian Penal Code.

(f.) A, with six others, commits the offences of rioting, grievous hurt to B, and of assaulting C, a public servant engaged in suppressing the riot. A may be separately charged with, convicted of, and punished for, offences under sections 147, 325 and 152, Indian Penal Code.

(g.) A criminally intimidates B, C and D at the same time. A may be separately charged with, convicted of, and punished for, each of the three offences under section 506, Indian Penal Code.

(h.) A intentionally causes the death of three persons by upsetting a boat. A may be separately charged with, convicted of, and punished for, three offences under section 302, Indian Penal Code.

To paragraph II.

(i.) A commits mischief by cutting down a tree in a Government forest. The tree overhangs the bank of a river and falls into the stream. A commits theft by having severed the tree and by floating it down the river to his village, where he sells it. A may be separately charged with, and convicted of, offences under sections 426 and 379, Indian Penal Code; but the Court which tries him may not inflict a more severe sentence than if it had convicted him under section 379 only.

(j.) A wrongfully strikes B with a cane. A may be separately charged with, and convicted of, offences under sections 352 and 323 of the Indian Penal Code; but the Court which tries him may not inflict a more severe sentence than if it had convicted him under section 323 only.

(k.) A wrongfully kills a buffalo worth sixty rupees belonging to B, and then takes away the carcase in a manner amounting to theft. A may be separately charged with, and convicted of, offences under sections 429 and 379, Indian Penal Code; but the Court which tries him may not inflict a more severe sentence than if it had convicted him under section 429 only.

(l.) Several stolen sacks of corn are made over to A and B, who know they are stolen property. A and B thereupon assist each other to conceal the sacks at the bottom of a grain-pit. A and B may be separately charged with, and convicted of, offences under sections 411 and 414, Indian Penal Code; but the Court which tries them may not inflict a severer sentence than if it had convicted them under one of those sections only.

(m.) A uses a forged document in evidence, in order to convict B, a public servant, of an offence under section 167. A may be separately charged with, and convicted of, offences under sections 471 (read with 466) and 196 of the Indian Penal Code; but the Court which tries him may not inflict a severer sentence than if it had convicted him under one of those sections only.

To paragraph III.

(n.) A commits house-breaking by day with intent to commit adultery, and commits, in the house so entered, adultery with B's wife. A may be separately charged with, and convicted of, offences under sections 454 and 497, Indian Penal Code; but the Court which tries him may not inflict a severer sentence than if it had convicted him under section 497 only.

(o.) A robs B, and, in doing so, voluntarily causes hurt to him. A may be separately charged with, and convicted of, offences under sections 323, 392 and 394 of the Indian Penal Code; but the Court which tries him may not inflict a severer sentence than if it had convicted him under section 392 or 394 only.

(p.) A entices B, the wife of C, away, and then commits adultery with her. A may be separately charged with, and convicted of, offences under sections 498 and 497, Indian Penal Code; but the Court which tries him may not inflict a severer sentence than if it had convicted him under section 497 only.

20. If a single act or series of acts is of such a

Where it is doubtful nature that it is doubtful what offence has been committed, which of several offences the facts which can be proved will constitute, the accused person may be charged

with having committed all or any of such offences; and any number of such charges may be tried at once, or he may be charged in the alternative with having committed some one of the said offences.

Illustration.

A is accused of an act which may amount to either theft, receiving stolen property, criminal breach of trust, or cheating. He may be charged separately with theft, criminal breach of trust, and cheating; or he may be charged with having committed either theft or criminal breach of trust, or cheating.

21. If, in the case mentioned in section

twenty, one charge only is brought against an accused person, and it appears

evidence that he committed a different offence, for which he might have been charged under the provisions of that section, he may be convicted of the offence which he is shown to have committed, although he was not charged with it.

Illustration.

A is charged with theft. It appears that he committed criminal breach of trust, or receiving stolen goods. He may be convicted of criminal breach of trust, or receiving stolen goods, though he was not charged with it.

22. When a person is charged with an offence

and part of the charge is proved, and the part not proved, but the part charged, which is proved amounts to

a different offence, he may be convicted of the offence which he is proved to have committed, though he was not charged with it.

Illustrations.

(a.) A is charged, under section 407, Indian Penal Code, with criminal breach of trust in respect of property entrusted to him as a carrier. It appears that he did commit criminal breach of trust under section 406 in respect of the property, but that it was not entrusted to him as a carrier. He may be convicted of criminal breach of trust under section 406.

(b.) A is charged with murder. He may be convicted of culpable homicide, or of causing death by negligence.

23. When more persons than one are accused

of the same offence, or of different offences committed in the same transaction, or where

one person is accused of committing any offence and another of abetment of, or attempt to commit such offence, they may be charged and tried together or separately, as the Court thinks proper, and the provisions hereinbefore contained shall apply to all such charges.

Illustrations.

(a.) A and B are accused of the same murder. A and B may be charged and tried together for the murder.

(b.) A and B are accused of a robbery, in the course of which A commits a murder with which A has nothing to do. A and B may be tried together on a charge, charging both of them with the robbery, and A alone with the murder.

(c.) A and B are both charged with a theft, and B is charged with two other thefts committed by him in the course of the same transaction. A and B may be both tried together on a charge, charging both with the one theft, and B alone with the two other thefts.

consent. No error, either in the way in which the offence is stated, or in the particulars required by the Criminal Procedure to be stated, and no omission to state the offence, or to state those particulars, shall be regarded at any stage of the case as material, unless the person accused was in fact misled by such error or omission.

Illustrations.

(a.) A is charged, under section 242 of the Indian Penal Code, with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit;" the word "fraudulently" being omitted in the charge. Unless it appears that A was in fact misled by this omission, the error shall not be regarded as material.

(b.) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge, or is set out incorrectly. A defends himself, calls witnesses, and gives his own account of the transaction. The Court may infer from this that the omission to set out the manner of the cheating is not material.

(c.) A is charged with cheating B, and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B, and A had no means of knowing to which of them the charge referred, and offered no defence. The Court may infer from such facts that the omission to set out the manner of the cheating was, in this case, a material error.

(d.) A is charged with the murder of Khodá Baksh on the 21st January. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 20th January. A was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. The Court may infer from these facts that A was not misled, and that the error in the charge was immaterial.

(e.) A was charged with murdering Haidar Baksh on the 20th January, and Khodá Baksh (who tried to arrest him for that murder) on the 21st January. When charged for the murder of Haidar Baksh, he was tried for the murder of Khodá Baksh. The witnesses present in his defence were witnesses in the case of Haidar Baksh. The Court may infer from this that A was misled, and that the error was material.

25. If any Magistrate, or other authority purporting to exercise powers conferred, but not being actually so empowered, commits an accused person to take his trial before a High Court, the Court may, after perusal of the proceedings, accept the commitment if it considers that the accused person has not been prejudiced, unless objection was made on behalf either of the accused person or of the prosecution to the jurisdiction of the committing Magistrate during the inquiry and before the order of commitment.

If such Court considers that the accused person was prejudiced, or if such objection as aforesaid was made, it shall quash the commitment, and direct a fresh inquiry by a competent Magistrate.

26. Pending the directions of the Court as to the place of trial, every person committed for trial shall (if not admitted to bail) be committed by the Magistrate for intermediate custody to the criminal jail in which he can be most conveniently confined.

If the trial be directed to be held at the place of sitting of the Magistrate, the Magistrate shall over the person charged to appear and take his trial at such place of sitting, or shall commit him to the jail at such place.

If the Court direct that the person be tried elsewhere than at its ordinary place of sitting, the Magistrate shall bind him over to appear and take his trial at the place so directed, or, if necessary, cause him to be removed to the criminal jail at or nearest to the place at which directed to be tried.

27. The Court may direct that all European British subjects committed or bailed for trial shall be tried within certain specified periods of the year, shall be tried at the ordinary place of sitting of the Court,

or direct that they shall be tried at a particular place named, and may also order that they, if not bailed, be committed for intermediate custody to a particular jail, being one of those appointed by the Government for the reception of such prisoners.

CHAPTER IV.

OF THE COMMENCEMENT OF THE TRIAL.

28. When the Court is ready to commence the trial, the accused shall be brought before the Court, and the charge shall be explained to him, and he shall be asked whether he is guilty of the offence charged, or whether he wishes to be tried.

29. If the accused person pleads guilty, the plea shall be recorded, and the Court may convict him.

30. If the accused person refuses to plead, or if he pleads not guilty, the Court shall proceed to choose jurors, and to try the case.

31. Every person accused of an offence shall have the right to be defended by an advocate of a High Court.

Any such person may, with the permission of the Court (but not otherwise), employ any other person, not being an advocate, attorney or pleader, to assist him in his defence.

CHAPTER V.

OF JURIES.

(a) Of Juries generally.

32. All trials under this Chapter shall be by jury.

and, notwithstanding anything contained in section sixty-four of the Code of Criminal Procedure, in all criminal cases transferred to a High Court under that section or under the Letters Patent Act, any High Court established under the provisions of the fourth and twenty-fifth of Victoria, Chapter 10, may, if the High Court so direct, be tried by jury.

33. The jury shall consist of nine persons, and shall be chosen by the Court from the persons summoned to appear as jurors: provided that, in case of a default, the Court may order that the trial be by judge alone.

26. Pa

the Commanding Officer, cause to be summoned a number of Commissioned and Non-Commissioned Officers in the military service, resident within ten miles of its place of sitting, as the Court considers to be necessary to make up the juries required for the trial of European British subjects charged with offences before the High Court as aforesaid.

56. If the objection be allowed, the Supply of place of such juror shall be juror against whom objection allowed. by any other juror a in obedience to a su or, if there be no such other juror present, any other person present in the Court who is on the list of jurors, or whom the Court ers a proper person to serve on the jury, no objection to such other juror or person and allowed under section 54.

57. The Judge shall not allow any person to serve on the jury, unless such person understands the language in which the evidence is given or interpreted.

(d) *Of the Foreman.*

58. When the jury has been completed, they shall appoint one of their number to be foreman.

It shall be the duty of the foreman to preside in the debates of the jury, to deliver the verdict of the jury, and to ask any information from the Court that may be required by the jury or any of the jurors.

If the jury do not agree in the verdict, the foreman shall be appointed.

CHAPTER VI.
OF THE TRIAL.

The prosecutor shall then open his case, and the witnesses shall be examined, cross-examined and re-examined according to the law for the time being relating to the examination of witnesses.

60. The examination of the accused person before the committing Magistrate shall be given in evidence at the trial.

61. The Court may from time to time, at any stage of the trial, examine the accused person.

The accused person shall not be liable to any punishment for refusing to answer, or for answering falsely, questions asked under this section, but the Court shall draw such inference as seems just from such refusal or false answer.

No oath or affirmation shall be administered to the accused person.

62. When the examination of the witnesses for the prosecution and the examination of the accused person are concluded, the accused person shall be asked whether he means to call witnesses. If he says that he does not, the prosecutor may sum up his case. The Court may then, if it thinks that there are no grounds for proceeding, direct the jury to return a verdict of acquittal.

If the Court considers that there are grounds for proceeding, it shall call on the accused person to state his grounds of defence and produce his witnesses.

The accused person, or his Counsel may then state the case for the defence, and may examine the witnesses, if any, produced for the defence, and at the conclusion of such examination may sum up his case.

63. If any evidence is adduced on behalf of the accused person, the prosecutor shall be entitled to reply.

64. Whenever, in the opinion of the Court, it is proper and convenient that the jury should view the place in which the offence charged is said to have

been committed, or any other place in which any other transaction material to the inquiry in the trial took place, an order shall be made to that effect, and the jury shall be conducted in a body, under the care of an officer of the Court, to such place, which shall be shown to them by a person appointed by the Court. Such officer shall not allow any other person to speak to or communicate with any of the jury.

65. The High Court may from time to time make rules as to the manner in which the jury shall be kept together, and may order whether and in what number the jurors shall be kept together under the charge of an officer of the Court, or whether they shall be allowed to return to their respective homes.

66. The Court may, in its discretion, postpone the hearing of the case; and may, from time to time, adjourn the trial, if it considers that such adjournment is proper and will promote the ends of justice.

67. If a trial is adjourned, the jury shall be required to attend at the adjourned sitting, and at every subsequent sitting, until the conclusion of the trial.

68. The Court may, if it think fit, from time to time, by general rule prescribe the manner in which evidence shall be taken down in cases coming before the Court in the exercise of its ordinary or its extraordinary original criminal jurisdiction, and the Judges of such Court shall take down the evidence or the substance thereof in accordance with the rule (if any) so prescribed.

69. If a jurymen is personally acquainted with any relevant fact, it is his duty to inform the Judge that such is the case, whereupon he may be examined, cross-examined and re-examined, in the same manner as any other witness.

70. When the services of an interpreter are required by the Court for the interpretation of any evidence or statement, he shall be bound to state the true interpretation of such evidence or statement.

CHAPTER VII.

OF EVIDENCE.

71. The examination of a Civil Surgeon or other medical witness, taken and duly attested by a Magistrate, may be given in evidence in any criminal trial, although the person examined is not called as a witness.

The Court may summon such Civil Surgeon or other medical witness, if it sees sufficient cause for doing so.

72. Any document purporting to be a report from the Chemical Examiner, or Assistant Chemical Examiner to Government, upon any matter or thing duly submitted to him for examination or analysis and report, in the course of any criminal

80. The Court may, at any stage of any proceeding, inquiry or trial, summon any witness, or examine any person in attendance though not summoned as a witness, and it shall be its duty to do so if the evidence of such person appears essential to the just decision of the case.

81. If the Court has reason to believe that any witness whose attendance is required will not attend to give evidence without being compelled to do so, it may, instead of issuing a summons, issue a warrant of arrest in the first instance.

82. If such warrant cannot be executed, and the Court considers that the witness is absconding or concealing himself for the purpose of avoiding the service thereof, it may issue a proclamation, requiring his attendance to give evidence at a time and place to be named therein, to be affixed on some conspicuous part of his ordinary place of abode.

If the witness does not attend at the time and place named in such proclamation, the Court may order the attachment of any moveable property belonging to such witness, to such amount as seems reasonable, not being in excess of the amount of costs of attachment and of any fine to which he may be liable under the provisions of the next following section.

Such order shall authorize the attachment of any such moveable property within the jurisdiction of the Court by which the order was made; and if any such moveable property be without the jurisdiction of the said Court, such order when endorsed by the Magistrate of the District in which such property is situated shall authorize the attachment of the property last aforesaid.

83. If the witness appears and satisfies the Court that he did not abscond or conceal himself for the purpose of avoiding the execution of the warrant, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court shall direct that the property attached be released from attachment, and shall make such order in regard to the costs of the attachment as the Court thinks fit.

If such witness does not appear, or, appearing, fails to satisfy the Court that he did not abscond or conceal himself for the purpose of avoiding the execution of the warrant, and that he had not such notice of the proclamation as aforesaid, the Court may order the property attached, or any part thereof, to be sold for the purpose of satisfying all costs incurred in consequence of such attachment, together with the amount of any fine which may be imposed upon such witness under the provisions of section 172 of the Indian Penal Code.

If the witness pays to such Court the costs and fine as aforesaid, his property shall be released from attachment.

84. If any person summoned to give evidence neglects or refuses to appear at the time and place appointed by the summons,

and no reasonable excuse is offered for such neglect or refusal, the Court, upon proof of the summons having been duly served, may issue a warrant under its seal to bring such person before it to testify as aforesaid.

85. The accused person shall be allowed to examine as a witness a person in attendance.

86. Whenever the Court considers that the production of any document is necessary or desirable for the purposes of any investigation or judicial proceeding,

the Court may issue a summons to the person whose possession or power such document is believed to be, requiring him to attend and produce such document at the time and place stated in the summons.

87. If there is reason to believe that the person to whom the summons is addressed will not produce the document as directed in the summons, the Court may issue a search-warrant for the document in the first instance.

88. The Court may, if it thinks fit, impound any document produced before it, or may, at the conclusion of the proceedings, order such document to be returned to the person who produced it.

89. If a witness refuses to answer any question which is put to him or to produce any document in his possession or power which the Court requires him to produce, and does not offer any just excuse for such refusal, he shall be deemed guilty of contempt of Court.

CHAPTER VIII.

OF THE CHARGE TO THE JURY.

90. When the case for the defence and the prosecutor's reply, if any, are concluded, the Court shall proceed to charge the jury, summing up the evidence for the prosecution and defence, and laying down the law by which the jury are to be guided.

91. It is the duty of the Judge to decide all questions of law, and especially all questions as to the relevancy of facts which it is proposed to prove the admissibility of evidence, or the propriety of questions asked by parties or their agents, which may arise in the course of the trial; and, in his discretion, to prevent the production of inadmissible evidence, whether it is or is not objected to by the parties;

to decide upon the meaning and construction of all documents given in evidence at the trial;

to decide upon all matters of fact which it may be necessary to prove in order to enable evidence of particular matters to be given;

to decide whether any question which arises for himself or for the jury; and upon this point his decision shall be final.

The Judge may, if he thinks proper, in the course of his summing up, express to the jury his

CHAPTER X. OF THE SENTENCE.

103. Every warrant for the commitment of a person to custody shall be in writing and signed and sealed by the Judge who issues it.

Form and direction of warrant of commitment.

104. In the case of a High Court holding its sittings elsewhere than in the towns of Calcutta, Madras or Bombay, the provisions of the Code of Criminal Procedure, sections 303, 304 and 305, shall apply to the officers therein mentioned.

Provisions of Criminal Procedure Code, ss. 303, 304, 305, applied in Mofussil.

105. Whenever an offender is sentenced to pay a fine, the Court may issue a warrant for the levy of the amount by distress and sale of any moveable property belonging to the offender, whether or not the offence be punishable with fine only, and whether or not the sentence direct that, in default of payment of the fine, the offender shall suffer imprisonment.

Levy of fine.

Such warrant may be executed within the jurisdiction of the Court, and it shall authorize the distress and sale of any moveable property belonging to the offender without the jurisdiction of the said Court, when endorsed by the Magistrate of the District in which such property is situate.

This section shall not apply to cases in which any special procedure is laid down by any special or local law in force for the time being for the recovery of any fine, but shall apply to cases in which no such procedure is laid down, and to all fines not levied when this Act comes into force, but which might have been levied under this section if it had been in force when they were imposed.

Cases to which section applies.

106. Whenever the Court imposes a fine under any law in force for the time being, the Court may order the whole or any part of the fine to be paid in compensation,

Payment of fine in compensation.

(a) for expenses properly incurred in the prosecution;

(b) for the offence complained of, where such offence can, in the opinion of the Court, be compensated by money.

Such payment shall be made, as the Court thinks fit, to or for the benefit of the complainant, or the person injured, or both.

In any subsequent civil proceedings relating to the same matter, the Court shall take into account any sum which may have been awarded under this section.

107. In every case punishable under any law in force for the time being with imprisonment as well as fine, in which the offender is sentenced to a fine, whether with or without imprisonment, the High Court shall be guided by the provisions of sections 64, 65, 68, 69 and 70 of the Indian Penal Code in awarding the period of imprisonment in default of payment of the fine.

Imprisonment in default of payment of fine.

108. Sentences of whipping shall be executed in manner provided by the Code of Criminal Procedure, sections 311, 312 and 313.

Execution of sentences of whipping.

109. When a person is convicted, at one trial, of two or more offences punishable under the same or different sections of any law for the time being in force, the Court may sentence him, for the offences of which he has been convicted, to the several penalties prescribed by such enactment or enactments, which such Court is competent to inflict; such penalties, when consisting of imprisonment, or transportation, or penal servitude, to commence the one after the expiration of the other:

Sentence in cases of simultaneous conviction of several offences.

Provided that in no case shall such person be sentenced to imprisonment for a longer period than fourteen years.

Maximum term of imprisonment.

110. When sentence of death or whipping is passed on an escaped convict, the Court shall direct the new sentence to take effect without waiting for the expiration of the sentence from which he has escaped.

Currency of sentence on escaped convicts.

When any other sentence is passed on an escaped convict severer than the sentence from which he has escaped, the Court shall also direct the new sentence to take effect without waiting for the expiration of the sentence from which he escaped.

When the new sentence is not severer than the sentence from which he has escaped, the Court shall direct the new sentence to take effect after such convict has suffered imprisonment, or transportation, or penal servitude, as the case may be, for a further period equal to that which, at the time of his escape, remained unexpired of his former sentence.

When the former sentence on the escaped convict is or includes transportation or penal servitude for life and the Court does not sentence him to death, the new sentence shall direct that he be, as soon as practicable, sent back to the place from which he escaped.

EXPLANATION.—For the purpose of this section—

(a) a sentence of transportation or penal servitude shall be deemed severer than a sentence of imprisonment:

(b) a sentence of imprisonment with solitary confinement shall be deemed severer than a sentence of imprisonment without solitary confinement; and

(c) a sentence of rigorous imprisonment shall be deemed severer than a sentence of simple imprisonment with or without solitary confinement.

111. When sentence is passed on a person actually undergoing sentence of imprisonment or transportation, and the sentence is for imprisonment or transportation, the Court shall direct such imprisonment or transportation to commence at the expiration of the imprisonment or transportation to which he has been previously sentenced;

Sentence on offender already sentenced for another offence.

or, if he is undergoing a sentence of imprisonment, and the sentence on such subsequent conviction be for transportation or penal servitude, the Court may direct the sentence to commence immediately, or at the expiration of the im-

prisonment to which such person has been previously sentenced :

Provided that nothing in this section shall be held to excuse such person from any part of the punishment to which he is liable upon such former or subsequent conviction.

112. When any person under the age of sixteen years is sentenced to imprisonment for any offence, the Court may direct that such offender, instead of being imprisoned in the criminal jail, shall be confined in any reformatory established by the Local Government as a fit place for confinement, in which there are means of suitable discipline and of training in some branch of useful industry, or which is kept by a person willing to obey such rules as the Government prescribes with regard to the discipline and training of persons confined therein.

All persons confined under this section shall be subject to the rules so prescribed.

113. When any person is sentenced to death, the sentence shall direct that he be hanged by the neck till he is dead.

114. If a woman sentenced to death be found to be pregnant, the High Court shall order the execution of the sentence to be postponed, and may commute the sentence.

115. When the trial is concluded, the Court may make such order as it thinks fit for the disposal of any property produced before it, regarding which any offence appears to have been committed.

Any order under this section may be in the form of a reference to a Magistrate, who shall in such case deal with the property as if it had been seized by the Police and the seizure duly reported to him.

EXPLANATION.—In this section the term 'property' includes not only such property as has been originally in the possession or under the control of any party, but also any property into or for which the same may have been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise.

116. Subject to any rules that may be passed by the Local Government with the previous sanction of the Governor General in Council, the Court may order payment, on the part of Government, of the reasonable expenses of any complainant or witness attending for the purpose of any trial before such Court under this Act.

CHAPTER XI.

OF PREVIOUS CONVICTIONS OR ACQUITTALS.

117. A person who has once been tried for an offence and convicted or acquitted not to be tried for same offence, while such conviction or acquittal remains in force, not be liable to be tried again for the same offence, nor on the same facts for any other offence for which a different charge from the one made against him might have been made under section 20, or for which he might have been convicted under section 21.

A person convicted or acquitted of any offence may be afterwards tried for any offence for which a separate charge might have been made against him on the former trial under section 19, paragraph I.

A person convicted or acquitted of any offence in respect of any act causing consequences which, together with such act, constituted a different offence from that for which such person was acquitted or convicted, may be afterwards tried for such last-mentioned offence, if the consequences had not happened, or were not known to the Court to have happened, at the time when he was acquitted or convicted.

A person convicted or acquitted of any offence in respect of any facts may, notwithstanding such acquittal or conviction, be subsequently charged with and tried for any other offence which he may have committed in respect of the same facts, if the Court by which he was first tried was not competent to try the offence with which he is subsequently charged.

Illustrations.

(a.) A is tried upon a charge of theft as a servant and acquitted. He cannot afterwards be charged with the same theft as a servant, or, upon the same facts, with theft simply or with criminal breach of trust.

(b.) A is tried upon a charge of murder and acquitted. There is no charge of robbery; but it appears from the facts that A committed robbery at the time when the murder was committed; he may afterwards be charged with, and tried for, robbery.

(c.) A is tried for an assault and convicted. The person afterwards dies. A may be tried again for culpable homicide.

(d.) A is tried under section 270 of the Indian Penal Code for malignantly doing an act likely to spread the infection of a disease dangerous to life and is acquitted. The act so done afterwards causes a person permanently to lose his eyesight. A may be charged, under section 325, with voluntarily causing grievous hurt to that person.

(e.) A is charged before the Court of Session and convicted of the culpable homicide of B. A may not afterwards be tried for the murder of B on the same facts.

(f.) A is charged by a Magistrate of the first class with, and convicted by him of, voluntarily causing hurt to B. A may not afterwards be tried for voluntarily causing grievous hurt to B, on the same facts, unless the case comes within paragraph three.

(g.) A is charged by a Magistrate of the second class with, and convicted by him of, theft of property from the person of B. A may be subsequently charged with, and tried for, robbery on the same facts.

(h.) A, B and C are charged by a Magistrate of the first class with, and convicted by him of, robbing D. A, B and C may afterwards be charged with, and tried for, dacoity, on the same facts.

118. If the accused person has been previously convicted of any offence, and if it is intended to prove such previous conviction for the purpose of affecting the punishment which is to be awarded, the fact of the previous conviction must be stated in the charge. If it is omitted, it may be added at any time before sentence is passed, but not afterwards.

119. A previous conviction or acquittal may be proved by an extract certified under the hand of the officer having the custody of the records of the Court in which such conviction or acquittal was had, to be a copy of the finding and sentence.

CHAPTER XII. OF CRIMINAL LUNATICS.

120. If any person committed for trial appears at his trial to the Court to be of unsound mind and incapable of making his defence, the Court shall, in the first instance, try the fact of such unsoundness of mind, and if satisfied of the fact, shall give a special judgment that the accused person is of unsound mind and incapable of making his defence; and thereupon the trial shall be postponed.

The trial of the fact of the unsoundness of mind of the accused person shall be deemed to be part of his trial before the Court.

121. Whenever an accused person is found to be of unsound mind and incapable of making his defence, the Court, if the offence of which he is accused be bailable, may release him on sufficient security being given that he shall be properly taken care of, and shall be prevented from doing injury to himself or to any other person, and for his appearance when required.

If the offence be not bailable, or if the required bail be not given, the Court shall report the case to the Local Government, and the accused person shall be kept in safe custody in such place as the Local Government directs.

122. Whenever a trial is postponed under section 120, the Court may at any time resume the trial, and require the accused person, if detained in custody, to be brought before the Court; or, if he has been released on security, may require his appearance.

The surety of such person shall be bound, at any time, to produce him to any officer whom the Court appoints to inspect him; and the certificate of such officer shall have the same effect as the certificate of an Inspector General of Prisons or the Visitors of Lunatic Asylums, granted under section 127.

123. If, when the accused person appears or is again brought before the Court, it appears to such Court that he is in a fit state of mind to make his defence, he shall be put on his trial.

If it appears that the accused person is still of unsound mind, and incapable of making his defence, the Court shall again act according to the provisions of section 121.

124. Whenever any person is acquitted upon the ground that, at the time at which he is charged with having committed an offence, he was, by reason of unsoundness of mind, incapable of knowing the nature of the act charged or that he was doing what was wrong or contrary to law, the finding shall state specially whether such person committed the act or not.

125. Whenever such finding states that the accused person committed the act charged, the Court before which the trial was held shall, if the act charged would, but for the incapacity found, have amounted to an offence, order him to be

kept in safe custody, in such place and manner as the Court thinks fit, and shall report the case for the order of the Local Government.

The Local Government may order such person to be kept in safe custody in a Lunatic Asylum or other suitable place of safe custody.

126. When any person is confined under the provisions of section 121 or 125, the Inspector General of Prisons, if such person is confined in a jail, or the Visitors of the Lunatic Asylums or any two of them, if he is confined in a Lunatic Asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by such Inspector General or by two of such Visitors as aforesaid; and such Inspector General or Visitors shall make a special report to the Local Government as to the state of mind of such person.

127. If such person is confined under section 121 and such Inspector General or Visitors as aforesaid shall certify that, in his or their opinion, such person is capable of making his defence, he shall be taken before the Court, at such time as it appoints, and the Court shall deal with him under the provisions of section 123; and the certificate of such Inspector General or Visitors as aforesaid shall be receivable as evidence.

128. If such person is confined under the provisions of section 125, and such Inspector General or Visitors as aforesaid shall certify that, in his or their judgment, he may be discharged without danger of his doing injury to himself or to any other person, the Local Government may thereupon either order him to be discharged, or to be detained in custody, or to be transferred to a public Lunatic Asylum, if he has not been already sent to such an Asylum; and may appoint a commission, consisting of a judicial officer and two medical officers, whereof the chief medical officer attached to the Lunatic Asylum shall be one.

The said commission shall make formal inquiry into the state of mind of such person taking such evidence as is necessary, and shall report to the Local Government, who may order his discharge or detention as to it may seem fit.

129. Whenever any relative or friend of any person detained under the provisions of section 125 is desirous that he shall be delivered over to his care and custody, the Local Government, upon the application of such relative or friend, and on his giving security to the satisfaction of such Government that the person detained shall be properly taken care of and shall be prevented from doing injury to himself or to any other person, may order that the person detained be delivered to such relative or friend.

Whenever such person is so delivered, it shall be upon condition that he shall be subject to be inspected by such officer, and at such times as the Local Government directs.

The provisions of sections 126 and 128 shall apply to persons detained under the provisions of this section; and the certificate of the inspecting officer appointed under this section shall be dealt

with as a certificate of the Inspector General of Prisons or the Visitors of Lunatic Asylums, under the said sections.

130. If an accused person, though not insane, cannot be made to understand the proceedings, the Court may proceed with the trial; and if such trial results in a conviction, the Court shall pass thereon such order as it thinks fit.

CHAPTER XIII.

OF PROSECUTIONS IN CERTAIN CASES.

131. A complaint of an offence punishable under chapter VI of the Indian Penal Code, except section 127, or punishable under section 294 A of the said Code, shall not be entertained, unless the prosecution be instituted by order of, or under authority from, the Governor-General in Council or the Local Government, or some officer empowered by the Governor-General in Council to order or authorize such prosecution, or unless instituted by the Advocate General.

132. A complaint of an offence of which any Judge or any public servant not removeable from his office without the sanction of the Government is accused as such Judge or public servant, shall not be entertained against him, except with the sanction or under the direction of the Government, or of some officer empowered by the Government, or of some Court or other authority to which he is subordinate, and whose power so to sanction or direct such prosecution the Government does not think fit to limit or reserve.

No such Judge or public servant shall be prosecuted for any act purporting to be done by him in the discharge of his duty, unless with the sanction of the Government.

The sanction must be given before the commencement of the proceedings.

In this section the expression 'Government' means either the Local Government or the Governor-General in Council; and the expressions 'Judge' and 'public servant' have the meanings assigned to them respectively by the Indian Penal Code.

133. A complaint of any offence described in chapter X of the Indian Penal Code, not falling within section 175, 178, 179 or 180 of that Code, shall not be entertained by any High Court, except with the sanction or on the complaint of the public servant concerned, or of his official superior.

134. The sanction referred to in section 133 may be expressed in general terms, and need not name the accused person, and may be given at any time.

EXPLANATION.—In cases under this chapter, the report or application of the public servant shall be deemed sufficient complaint.

135. When the Court is of opinion that there is sufficient ground for inquiring into any charge mentioned in section 133, it may, after making such preliminary inquiry as may be

necessary, either commit the case itself, or may send the case for inquiry to any Magistrate having power to try or commit for trial the accused person for the offence charged.

Such Magistrate shall thereupon proceed according to law; and the Court may send the accused person in custody, or take sufficient bail for his appearance before such Magistrate; and may bind over any person to appear and give evidence on such trial or inquiry.

The Magistrate receiving the case may, if he is authorised to make transfers of cases, transfer the inquiry to some other competent Magistrate, instead of completing the inquiry himself.

CHAPTER XIV.

OF BAIL.

136. The Court may in any case direct that an accused person shall be admitted to bail, or that the bail required by a Magistrate be reduced.

137. Whenever, by reason of default of appearance of the person executing the personal recognizance, the Court is of opinion that proceedings should be had to compel payment of the penalty mentioned in the recognizance, it shall proceed to enforce the penalty, by issuing a warrant for the attachment and sale of the moveable property belonging to such person, which may be found within its jurisdiction.

Such warrant may be executed within such limits, and it shall authorize the distress and sale of any moveable property belonging to the accused person without such limits, when endorsed by the Magistrate of the District in which such property is situate.

138. Whenever, by reason of default of appearance by the person bailed, the Court is of opinion that proceedings should be had to compel payment of the penalty mentioned in the recognizance of the surety or sureties, it shall give notice to the surety or sureties to pay the same, or to show cause why it should not be paid.

If such penalty be not paid, and if no sufficient cause for its non-payment be shown, the Court shall proceed to recover the penalty from such surety or sureties, by issuing a warrant for the attachment and sale of any moveable property belonging to him or them which may be found within its jurisdiction.

Such warrant may be executed within such local limits; and it shall authorize the distress and sale of any moveable property belonging to the surety or sureties without such limits, when endorsed by the Magistrate of the District in which such property is situate.

If such penalty be not paid and cannot be recovered by such attachment and sale, such surety or sureties shall be liable to confinement, by order of the Court, in the civil jail, during a period not exceeding six months:

Provided that the Court may, at its discretion,

remit any portion of the penalty mentioned in the recognizance of the party or witness, or of the surety or sureties, and enforce payment in part only:

The Court may direct any Magistrate to levy the amount due on a forfeited bail-bond executed in respect of attendance before such Court.

Court may direct Magistrate to levy sum forfeited.

139. When any person is required to give bail, the Court may permit him to deposit a sum of money or Government promissory notes to such amount as it may fix in lieu of such bail.

Deposit instead of bail.

CHAPTER XV.

OF SECURITY FOR KEEPING THE PEACE.

140. Whenever a person accused of rioting, assault, or other breach of the peace, or with abetting the same, or with assembling armed men or taking other unlawful measures with the evident intention of committing the same, is convicted of such offence,

and the Court is of opinion that it is just and necessary to require such person to give a personal recognizance for keeping the peace,

the Court may, in addition to any other order passed in the case, direct that the person so convicted be required to execute a formal engagement, in a sum proportionate to his condition in life and the circumstances of the case, for keeping the peace during such period as it may appear proper to fix in each instance, not exceeding three years, with a provision that, if the same be not given, he shall be kept in simple imprisonment for any time not exceeding three years, unless within such period he executes such formal engagement as aforesaid.

If the accused person be sentenced to imprisonment, the period for which he may be required to execute a recognizance, and the imprisonment in default of executing such recognizance, shall commence on the expiration of his sentence.

141. Whenever it appears necessary to require security for keeping the peace, in addition to the personal recognizance of the party so convicted, the Court empowered to require a personal recognizance may require security in addition thereto, and may fix the amount of the security-bond to be executed by the surety or sureties; with a provision that, if the same be not given, the party required to find the security shall be kept in simple imprisonment for any time not exceeding three years.

142. Whenever a person is convicted of an offence attended with criminal force, and it appears to the Court that, by such criminal force, any person has been dispossessed of any immovable property, the Court may cause such person to be restored to possession.

No order made for this purpose shall prejudice any right over such immovable property which any person may be able to show in a civil suit.

CHAPTER XVI.

MISCELLANEOUS.

143. Nothing herein contained shall be deemed to affect the Prisoners' Testimony Act, 1869, or the Prisoners Act, 1871.

Saving of Acts XV of 1869, and V of 1871.

144. The Advocate General may, with the previous sanction of the Governor General in Council or the Local Government, exhibit to the local High Court, against persons subject to the jurisdiction of the said Court, informations for all purposes for which Her Majesty's Attorney-General may exhibit informations on behalf of the Crown in the Court of Queen's Bench or Exchequer.

Such proceedings may be taken upon every such information as may lawfully be taken in case of similar informations filed by Her Majesty's Attorney-General in England, so far as the circumstances of the case and the course and practice of proceeding in the said High Courts respectively will admit.

All fines, penalties, forfeitures, debts and sums of money recovered or levied under or by virtue of any such information shall belong to the Government of India.

145. Upon charges preferred by the Advocate General or by any Magistrate or other officer specially empowered by the Government in this behalf persons committed to custody or held to bail shall be deemed to have been brought before the High Court in due course of law, and (subject to the provisions herein contained as to the amendment and alteration of charges, and subject also to the provisions of section 24) shall be tried upon the charges so recorded.

146. At any stage of any proceeding under this Act, before the return of the verdict, the Advocate General may, if he think fit, inform the Court on behalf of Her Majesty that he will not further prosecute the defendant upon the information or charge; and thereupon all proceedings on such information or charge against the defendant shall be stayed, and he shall be discharged of and from the same. But such discharge shall not amount to an acquittal.

147. Whenever it appears to the High Court of Judicature at Fort William, Madras or Bombay that the direction herein after mentioned will promote the ends of justice, the High Court may direct the transfer to itself of any particular case from any criminal court situate within the local limits of its ordinary original criminal jurisdiction, and the High Court shall have power to determine the case so transferred, and to quash or affirm any conviction or other proceeding which may have been had therein, but so that the same be not quashed for want of form, but on the merits only.

148. Any of the High Courts of Judicature at Fort William, Madras and Bombay may, whenever it thinks fit, direct—

Power to issue directions of the nature of a *habeas corpus*.

- (a) that a prisoner, legally committed and within the local limits of its ordinary original criminal jurisdiction, be brought up before it to be bailed;
- (b) that a person within such limits be brought up before the Court to be dealt with according to law;
- (c) that a person illegally or improperly detained in public or private custody within such limits be set at liberty:

- (d) that a prisoner detained in any gaol situate within such limits be brought before the Court to be there examined as a witness in any matter pending or to be inquired into in such Court:
- (e) that a prisoner detained as aforesaid be brought before a Court Martial or any Commissioners acting under the authority of any commission from the Governor-General in Council, for trial, or to be examined touching any matter depending before such Court Martial or Commissioners respectively:
- (f) that a prisoner within such limits be removed from one custody to another for the purpose of trial:
- (g) that the body of a defendant within such limits may be brought in on the Sheriff's return of *cepi corpus* to a writ of attachment;

and neither the High Court nor any Judge thereof shall hereafter issue any writ of *habeas corpus* for any of the above purposes.

Each of the said High Courts shall, as soon as conveniently may be, frame rules to regulate the procedure in cases under this section; and till such rules are framed, the practice of such Courts as to the obtaining, granting and serving of writs of *habeas corpus*, and as to the returns thereto, shall apply in such cases.

Nothing in this section applies to persons detained under Bengal Regulation III of 1818, Madras Regulation II of 1819, or Bombay Regulation XXV of 1827, or the Acts of the Governor-General in Council No. XXXIV of 1850 or No. III of 1858.

149. Affidavits and affirmations to be used before any High Court or any Courts and persons before whom affidavits may be sworn, officer of such Court, may be sworn and affirmed before such Court or the Clerk of the Crown, or any Commissioner or other person appointed by such Court for that purpose, or any Judge or Commissioner for taking affidavits in any Court of Record in British India, or any Commissioner to administer oaths in Chancery in England or Ireland, or any Magistrate authorised to take affidavits or affirmations in Scotland.

150. Every High Court in the exercise of its Criminal Courts to be original Criminal Jurisdiction shall be deemed an open and public Court, to which the public generally may have access, so far as the same can conveniently contain them.

But the presiding Judge may, if he thinks fit, order that, during the trial of any particular case, no person shall have access to, or be, or remain in, the room or building used by the Court, without the consent or permission of the Court.

151. In the case of offences which may lawfully be compounded, injured persons may compound the offence out of Court, or in Court with the permission of the Court.

Such withdrawal from the prosecution shall have the effect of an acquittal of the accused person.

152. Every Judge of a High Court shall, by virtue of his office, be a Justice of the Peace within and for the whole of British India.

153. Cases pending, when this Act comes into force, in any High Court in the exercise of its original criminal jurisdiction shall be decided, as far as may be, according to the procedure provided in this Act.

THE SCHEDULE.

(See section 2.)

ACTS.

No. and year.	Subject or Title.	Extent of repeal.
XXXI of 1838.	Supreme Courts, Criminal Law.	So much as has not been repealed.
XXII of 1839.	An Act for enabling persons charged with offences to make their defence more effectually.	So much as has not been repealed.
IV of 1849	Criminal lunatics	So much as has not been repealed.
XVI of 1852.	An Act for further improving the administration of Criminal Justice in Her Majesty's Courts of Justice in the territories of the East India Company.	So much as has not been repealed.
XVIII of 1859.	An Act to amend the law relating to offences declared to be punishable on conviction before a Magistrate.	So much as has not been repealed.
XVIII of 1862.	An Act to repeal Act XVI of 1852 in those parts of British India in which the Indian Penal Code is in force, and to re-enact some of the provisions thereof with amendments, and further to improve the administration of Criminal Justice in Her Majesty's Supreme Courts of Judicature.	Sections 1 to 25 (both inclusive): sections 36 to 46 (both inclusive): and sections 54, 55 and 56.
XIII of 1865.	An Act to amend the procedure of Her Majesty's High Courts of Judicature in the exercise of their original jurisdiction, and to provide for the exercise of such jurisdiction at places other than the Presidency Towns.	So much as has not been repealed.
IV of 1866	An Act to amend the constitution of the Chief Court of Judicature in the Panjáb and its Dependencies.	Sections 21 to 41 (both inclusive), and section 20, except the first twenty-two words.

ACTS,—concluded.

No. and year.	Title.	Extent of repeal.
XVI of 1866	An Act to relieve the Governor General of India in Council from the duty of signing the commissions mentioned in sections 22 and 44 of the High Courts Criminal Procedure Amendment Act, 1865.	The whole.
XXIV of 1866.	An Act to amend the procedure of the High Court of Judicature for the North-Western Provinces of the Presidency of Fort William.	Sections 2 to 17 (both inclusive).
XIII of 1869.	An Act further to amend the procedure of the High Court of Judicature for the North-Western Provinces.	Sections 1 and 2, and so much of sections 3 and 4 as relates to criminal jurisdiction.
XXII of 1870.	An Act to confirm certain laws affecting European British subjects.	Section three.

STATUTES.

No. and year.	Title or abbreviated Title.	Extent of repeal.
13 Geo. III, c. 63.	An Act for establishing certain Regulations for the better management of the affairs of the East India Company, as well in India as in Europe.	Section 34. In section 38 the words "and the Chief Justice and other Judges of the said Supreme Court of Judicature."
33 Geo. III, c. 52.	<i>An Act whose title begins with the words An Act for continuing, and ends with the words and Bombay.</i>	Sections 153 and 154.
53 Geo. III, c. 155.	<i>An Act whose title begins with the words An Act for continuing, and ends with the words Company's Charter.</i>	Sections 100, 102, 103.
9 Geo. IV, c. 74.	An Act for improving the administration of Criminal Justice in the East Indies.	The whole Act except sections one, seven, eight, nine, twenty-five, twenty-six, and fifty-six.

WHITLEY STOKES,

Secy. to the Govt. of India.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 9th March 1875, and is hereby promulgated for general information :—

ACT No. XI OF 1875.

An Act to amend the Law relating to Salt in the Presidency of Fort St. George.

WHEREAS it is expedient to amend the law relating to the price of salt sold under the orders of Government in the Presidency of Fort St. George; It is hereby enacted as follows :—

1. This Act may be called "The Madras Salt Act, 1875."

Short title.

It extends to the territories under the government of the Governor of Fort St. George in Council;

Local extent.

Commencement.

And it shall come into force at once.

2. The Governor General in Council may from

Power to impose, for any local area, duty on salt manufactured or sold under orders of Government.

time to time, by notification published in the *Gazette of India*, impose, for any local area, a duty on salt manufactured or sold therein under

the orders of the Governor of Fort St. George in Council, not exceeding one rupee and thirteen annas for every maund of three thousand two hundred tolas.

3. Whenever any such notification is published,

Power to impose, for any local area, additional sum to cover cost of salt.

the enactments mentioned in the schedule hereto annexed shall be repealed in such local area, and the Local

Government shall from time to time, by notification in the *Fort St. George Gazette*, fix as part of the price of every maund of salt, so to be sold within such local area, or any part thereof, such additional sum or sums as it may deem sufficient to cover the cost of importation, purchase, manufacture, storage, transport, sale and wastage.

4. The Local Government may vary such additional sum or sums for any

Power to alter additional sum. description of salt, or for any part of such local area, with reference to all or any of the following considerations (namely):—

(a) the place in which the salt is sold;

(b) the quantity of the salt sold in any transaction;

(c) any other circumstances affecting its sale.

5. The price to be paid to the Local Government

Price to be paid in each local area for salt sold.

in any part of any local area mentioned in any notification under section three or four shall, for every maund of salt sold in such area or part, be the total amount of the duty and additional sum for the time being so imposed and fixed for such salt as aforesaid.

The price payable in any local area for any description of salt at the date of the publication of any notification under section two, shall be taken to be the price payable under this section for such description of salt until an additional sum is fixed under section three for such area.

SCHEDULE.

(See section 3).

The following portions of Act No. XXIV of 1869 (*to enhance the price of Salt in the Presidency of Fort St. George and the duty on Salt in the Presidency of Bombay*), namely,

in the title, the words "the price of salt in the Presidency of Fort St. George and";

in the preamble, the words "the price of salt manufactured and sold in the Presidency of Fort St. George and"; and

in section two, paragraph one and the first word of paragraph two,

and so much of the second Schedule to the Laws Local Extent Act, 1874, as refers to Act No. XXIV of 1869.

WHITLEY STOKES,

Secy. to the Govt. of India.

DEPARTMENT OF REVENUE,
AGRICULTURE AND
COMMERCE.

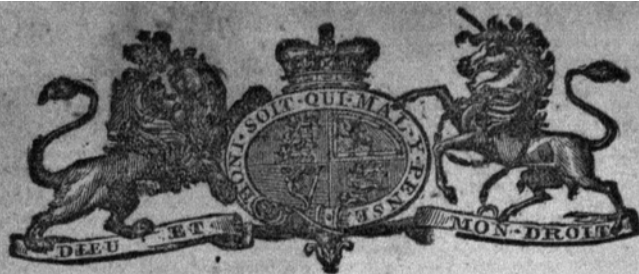
NOTIFICATION.—CUSTOMS AND SALT.

Fort William, the 9th March 1875.

No. 83.—In exercise of the powers conferred by the Madras Salt Act, 1875, the Governor General in Council hereby imposes, for the Districts of Malabar and South Canara, the duty of one rupee thirteen annas per maund of 3,200 tolas on salt manufactured or sold therein under the orders of the Governor of Fort St. George in Council.

G. H. M. BATTEN,

Offg. Secy. to the Govt. of India.



The Gazette of India, EXTRAORDINARY.

Published by Authority.

CALCUTTA, FRIDAY, MARCH 12, 1875.

GOVERNMENT OF INDIA:

LEGISLATIVE DEPARTMENT.

The following Report of a Select Committee, together with the Bill as settled by them, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 9th March 1875:—

WE, the undersigned Members of the Select Committee to which the Bill for consolidating and amending the Laws relating to the Procedure of the Courts of Civil Judicature in British India was referred, have the honour to report that we have considered the Bill and the papers noted in the appendix and received since April 1865, the date of the presentation of the last report.

1. This Bill has now been before the Council for nearly eleven years. Without having been formally introduced, it was published in 1864. It was introduced and referred to a Committee in the following November. An amended draft was published in April 1865, sent home to the Secretary of State in Council, and by him referred to the Indian Law Commissioners. They were of opinion that the project of consolidation should be deferred, and that it would be better to amend the Code by successive enactments as occasion might demand. The Secretary of State in Council, in his despatch of the 25th February 1867, expressed his concurrence in that opinion.

2. In consequence, the work was broken off. But since the correspondence above referred to, there have been more changes in the law, each tending to make some portion of the existing Code inapplicable to present circumstances. Besides the modifications effected by local Acts, the General Clauses Act of 1868, the Prisoners' Testimony Act of 1869, the General Stamp Act of the same year, the Court Fees' Act of 1870, the Limitation Act of 1871, the Evidence Act of 1872, the Criminal Procedure Code of 1872, the Oaths Act of 1873, have all had this effect to a greater or less extent. And every portion of the Code which becomes useless has, unless it is struck away, the effect of distracting, if not of misleading, those who resort to it.

3. Again, there has now been a much larger number of decisions, which show either some inconvenience in the rules of the Code, or some ambiguity of expression or absence of direction which has given rise to disputes that it is convenient to settle. To a certain extent these matters are settled by judicial decisions. But the decisions, however well they may interpret the language of the Code, do not always lay down the rule which is most beneficial to suitors. And even in the more frequent instances where the decision lays down the best rule, it is often convenient to embody it in the written law.

4. The Government of India has recently decided to make some amendments in the law relating to the execution of decrees. We have embodied the provisions necessary to give effect to this decision; and we have also endeavoured to render more efficient the provisions of the Code which relate to execution-debtors unable to pay their debts.

5. Still the great bulk of the Code remains intact, and so, except by re-arrangement, we propose to leave it. What we have done is to attempt a clearer and more methodical arrangement of the different parts and clauses of the Code than is now the case; to embody in it a number of judicial decisions, some incorporated in the substance of the enactments, some by way of explanation, and some by way of illustration; in one or two instances to lay down rules more generally convenient than those which have been decided to result from the present wording of the Code; to supply some forms of proceeding which may be useful to suitors; and to add a few provisions, some of which are borrowed from the Rules of the High Court of Calcutta, and others from the New York Civil Procedure Code.

6. In re-arranging the Code we have first followed the course of an ordinary suit from the moment that the plaintiff determines to sue, until he obtains execution of his decree. Incidental proceedings (as, for example, when either party dies), suits in particular cases, provisional remedies (such as interlocutory injunctions) and special proceedings are dealt with in subsequent and separate Parts. If an unsuccessful litigant wishes to present an appeal, or to have a judgment reviewed, he will find the law on these subjects in Parts dealing respectively with appeals and reviews. References to the High Courts are also separately dealt with, and the special Rules relating to the Courts established under 24 & 25 Vic., c. 104, are placed in a Part by themselves. The new Code is thus divided into ten Parts, relating respectively to—

- I.—Suits in general.
- II.—Incidental Proceedings.
- III.—Suits in particular cases.
- IV.—Provisional Remedies.
- V.—Special Proceedings.
- VI.—Appeals.
- VII.—Review of Judgment.
- VIII.—References to the High Court.
- IX.—Special Rules relating to the Charter High Courts, and
- X.—Certain miscellaneous matters.

7. The substantial changes and additions which we have made in and to the Draft of 1865 will be conveniently specified under the Part to which each belongs. But first we have to notice the preliminary sections.

PRELIMINARY.

Section 1.—The local extent of the Bill is declared to be the whole of British India, except the Scheduled Districts as defined in Act XIV of 1874.

Section 2, Interpretation-clause.—Here are omitted several definitions, some of which have been rendered unnecessary by the General Clauses Act, I of 1868, and others appear to us to be useless. On the other hand, we have inserted definitions of 'Pleader,' 'Foreign Court,' 'Foreign Judgment.' We have also defined 'cause of action' and 'material part of the cause of action,' in accordance with the judgment of Sir A. Bittleston in *DeSouza v. Coles*, 3 Mad. 384.

Section 3, and Schedule I.—We have omitted from the repealing schedule all the Regulations relating to Civil Procedure which, since 1865, have been repealed, and we have added several Acts relating to the same subject. It will be seen that Sections 15 and 192 of Act VIII of 1859 are for the present to be left untouched. The former section relates to declaratory suits: the latter to specific performance. Both subjects will properly be dealt with by a Bill relating to specific and preventive relief, and the sections in question will then be repealed.

Section 4.—This applies to the new Code the references in previous Acts to Act VIII of 1859 or 'the Code of Civil Procedure,' and saves the Oudh Civil Courts Act of 1871, the Panjáb Appeals Act of 1873, and the Burma Courts Act of 1875.

PART I.—OF SUITS IN GENERAL.

This Part is intended to deal with litigation in the simplest case, from the time that the plaintiff decides on suing and has to select his *forum* to the time when, having obtained a decree, he proceeds to execute it. It is divided into eighteen chapters relating to the following subjects:—

- I.—The jurisdiction of the Courts and *res judicata*.
- II.—The place of suing.
- III.—Parties, their appearances, applications and acts.
- IV.—The frame of the suit and the form of the plaint.
- V.—The institution of suits.
- VI.—Service of summons on the defendant.
- VII.—The appearance of the parties and the consequence of non-appearance.
- VIII.—Written statements.
- IX.—The examination of the parties at the first hearing.
- X.—The admission, inspection, production and impounding of documents.
- XI.—The settlement of issues.
- XII.—The disposal of the suit at the first hearing.
- XIII.—Adjournments.
- XIV.—Summoning witnesses.
- XV.—Examination of parties and witnesses.
- XVI.—Judgment and decree.
- XVII.—Costs.
- XVIII.—Execution of decrees.

CHAPTER I.—OF THE JURISDICTION OF THE COURTS AND *Res Judicata*.

Section 10.—This lays down the law as to *Lis Pendens*, and contains an explanation declaring that the pendency of a suit in a foreign Court does not preclude the Courts of British India from entertaining a suit founded on the same cause of action.

Section 13.—This deals with *res judicata*, and incidentally with foreign judgments. Like section 6 of the Bill of 1865, it is, to a large extent, founded on the definition in Livingston's Code of Evidence. We have thought it desirable to add a number of illustrations, likely, we hope, to facilitate the comprehension of this most difficult head of law. As *res judicata* is not a plea to the jurisdiction, but a plea in bar, the place of this section may be objected to. But the circumstance that the corresponding section (2) of Act VIII of 1859 stands in the forefront of the present Code, and the convenience of having so important a clause in a prominent position, seem to us in this instance to outweigh considerations of logical arrangement.

CHAPTER II.—OF THE PLACE OF SUING.

Section 15 specifies the suits whose forum is fixed with reference to the situation of the subject-matter. Such are suits relating to immoveable property and suits for moveables which have been distrained or attached. An exception is made in the case of suits to obtain relief respecting land where (as in the case of specific performance of a contract of sale) the relief sought can be obtained through the personal obedience of the defendant. Such suits may be brought either in the Court which has jurisdiction over the land or in the Court which has jurisdiction over the person of the defendant.

Section 16 (the latter part of section 10 of the Bill of 1865 and section 61) deals with the suits to be instituted where the defendant resides, or where the cause of action arose. The principal changes which we have made are these:—Where there are several defendants, only some of whom reside, &c., within the local limits of the Court's jurisdiction, we think that the suit should not be instituted in the Court unless either (a) the leave of the Court is given, or (b) the non-residents acquiesce.

We have framed two sections (17, 18) to provide for the case of a suit being instituted in a Court within whose jurisdiction only part of the cause of action arose, and where all the defendants do not reside. In such a case we think that any defendant should be allowed to move the Court to stay proceedings; and that if the Court thinks that justice is more likely to be done by the suit being instituted in another Court, it may stay proceedings either finally or till further orders. In such case of course the plaintiff should not pay a second Court-fee, and the interval between the institution of the suit and the date of staying proceedings should be excluded in computing the period of limitation applicable thereto. For this, section 19 provides.

Section 20.—This declares that suits for actionable wrongs may be brought either where the wrong is committed or where the defendant resides.

CHAPTER III.—OF PARTIES AND THEIR APPEARANCES, APPLICATIONS AND ACTS.

Sections 27—31 are new, and contain rules as to parties, their joinder, non-joinder, mis-joinder, founded to some extent on the New York Code, sections 117, 118, 119, 120.

Section 34.—Here we have settled a moot point by declaring that a partner is not, as such, a 'recognized agent.'

Sections 40 and 41.—Here we have authorised the Court (a) to make one of several plaintiffs a defendant; (b) to strike out of the plaint the name of a person improperly made a party; (c) to stay proceedings against such a person.

CHAPTER IV.—OF THE FRAME OF THE SUIT AND THE FORM OF THE PLAINT.

Section 42 declares that every plaint shall, as far as practicable, be so framed as to afford ground for a single decision upon the whole subject in dispute.

Sections 44 and 45 deal with the subject of multifariousness.

Section 49, as to the particulars to be contained in the plaint. Here we have added some Explanations to indicate that the plaint must shew (a) that where the plaintiff sues in a representative character, he has taken the steps necessary to enable him to sue; (b) that the defendant is, or claims to be, interested in the subject-matter, and that he is liable to be called on to answer the plaintiff's demand. We have also provided that in money-suits the plaint should, as far as practicable, state the amount sued for.

Section 52.—Here we have explained that a plaint cannot be altered so as to convert a suit of one character into a suit of another and inconsistent character.

Section 54.—We have provided for rejecting the plaint when it appears therefrom that the suit is barred by any positive rule of law.

Section 55 provides (in accordance with a Circular Order of the High Court, Fort William) a procedure (a) on rejecting, (b) on returning, a plaint.

Section 57 provides, in accordance with another Circular of the same High Court, for endorsing a memorandum of documents filed by the plaintiff along with the plaint.

Section 59 (=Act V of 1866, section 14,) deals with suits on lost negotiable instruments.

Section 67 (=section 79 of the Bill of 1865, section 43 of Act VIII,) provides that the summons to appear and answer shall order the defendant to produce 'documents containing evidence relating to the merits of the plaintiff's case,' and not 'documents of which the plaintiff demands inspection.'

CHAPTER VI.—SERVICE OF SUMMONS ON THE DEFENDANT.

Section 81.—In the Presidency Towns we have provided that the Courts to which Mofussil summonses are sent for service shall be the Courts of Small Causes.

CHAPTER VII.—OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

Our changes in this matter are merely verbal.

CHAPTER VIII.—OF WRITTEN STATEMENTS.

Section 103.—We have added words to shew that the Court shall deal with recorded statements as if given in evidence.

Section 105, as to set-off.—We have amended and illustrated this section, which represents section 121 of Act VIII of 1859. As now altered, it applies to any suit for the recovery of money; provides that in the claim of the defendant against the plaintiff, the parties must fill the same character as they fill in the plaintiff's suit, and declares that the sum claimed to be set-off must be ascertained and legally recoverable, and that the set-off must be claimed at the first hearing and not afterwards, except with the permission of the Court.

Section 106.—We have provided that a party wilfully disobeying the Court's requisition of a written statement, shall be liable to the penalties provided by section 176 of the Penal Code.

Section 108.—Here we have added a clause declaring that persons exempted from attendance in Court are not exempted thereby from subscribing and verifying written statements.

CHAPTER IX.—OF THE EXAMINATION OF THE PARTIES AT THE FIRST HEARING.

We have left this subject untouched.

CHAPTER X.—OF THE ADMISSION, INSPECTION, PRODUCTION, IMPOUNDING AND RETURN OF DOCUMENTS.

Section 113.—This provides that either party may exhibit to the other any document material to the suit, and request an admission in writing of its genuineness. The party refusing to give the admission is chargeable with the expense of proving its genuineness, unless the Court thinks there were good reasons for the refusal. A similar clause is contained in the Common Law Procedure Act, 15 & 16 Vic., cap. 76, sections 117, 118. Doubts have been expressed as to the policy of enacting such a clause in India, and we hope to receive the opinions of competent authorities on the matter.

Section 114 relates to inspection (which implies production) of documents. It represents sections 71 and 157 of the Bill of 1865; sections 40 & 107 of Act VIII. But it provides for obtaining inspection and copies of documents only when they contain evidence relating to the merits of the suit or the defence therein.

Section 115, as to sending for official records and papers.—We have provided, in accordance with a ruling by Phear, J., (1 Ind. Jur. N. S. 283) that applications under this section must be supported by an affidavit showing how the record or paper is material.

CHAPTER XI.—OF THE SETTLEMENT OF ISSUES.

Section 127.—We have here explained the term 'issues,' and provided that, when issues both of fact and of law arise in the same suit, and the case may be disposed of on the issues of law only, those issues may be tried first.

Section 128.—To the materials from which issues may be framed, we have added the contents of documents produced by either party.

Section 130.—We have here expressly empowered the Court, at any time before passing a decree, to strike out any issue appearing to be wrongly framed or introduced. This is in accordance with a ruling of the High Court at Fort William (3 Suth. W. R. 147, 150).

CHAPTER XII.—DISPOSAL OF THE SUIT AT THE FIRST HEARING.

Section 135.—We think that where the summons has been issued for the settlement of issues only, the judgment should not be pronounced unless all the parties are present and none of them object. The introduction of a clause to this effect is the only change that we have made in reference to this subject.

CHAPTER XIII.—OF ADJOURNMENTS.

Section 138.—We have here slightly enlarged the discretion of the Court as to costs occasioned by adjournments.

CHAPTER XIV.—OF SUMMONING WITNESSES.

Section 150.—We have here revived the provisions of the repealed Act XIX of 1853, section 28, as to fines on witnesses failing to appear.

Section 154.—We have added an explanation to shew that, before ordering the apprehension of a person summoned to give evidence as a witness, there must be reason to believe that he has no lawful excuse for failing to comply with the summons; and we have explained (*section 155*) that 'lawful excuse' is such an excuse as, under the Evidence Act, justifies a refusal to give the evidence.

CHAPTER XV.—OF THE EXAMINATION OF THE PARTIES AND WITNESSES.

Section 163.—We have provided that nothing in this section (which empowers the Court to pass a decree against a party who improperly refuses to attend to give evidence) shall enable the Court to decree a claim which, on the face of the record, is not warranted by law.

Section 165.—This expressly provides that the rules as to witnesses shall apply to a party summoned as a witness.

CHAPTER XVI.—OF JUDGMENT AND DECREE.

Section 186.—We have here declared that the decree shall agree with the judgment, and empowered the Court to amend the former, if found to be at variance with the latter.

Section 191, as to decrees in suits for land. We have here defined 'mesne profits' in accordance with a decision of Hobhouse, J., reported in 8 Suth. C. R. 104, and with a view to ensure the speedy execution of such decrees, we have precluded the Courts from giving mesne profits for more than one year from the date of the decree.

Section 193 deals with administration-suits, a subject wholly untouched by the Bill of 1865 or the present Code. The Court, before making its final decree, will order such accounts and enquiries to be taken and made and give such order and directions as it thinks fit. Forms of the preliminary order and the final decree will be found in Schedule IV.

Section 194 authorises the Court, in suits for dissolution of partnership, to make preliminary orders fixing a day for the dissolution, appointing a Receiver of the partnership-assets and directing accounts to be taken. This subject is also untouched by Act VIII of 1859 or the Bill of 1865. Forms of the preliminary order and the final decree will be found in Schedule IV.

CHAPTER XVII.—OF COSTS.

Section 198.—We have here provided that the want of jurisdiction to try the case is no bar to the exercise of the power to give costs.

Costs will as a rule follow the event. But when the Court otherwise directs, we think that it should state its reasons in writing.

We have been in doubt whether it is well to attempt here to lay down any rules about costs. There is no question that, in the vast majority of contested cases, costs should follow the event, but there are cases in which litigation is resorted to without cause, and the blame of it rests with the party who gets the decree. In such cases the winning party may fairly be left to bear his own costs, or even, where he is much to blame, to pay the costs of the loser. In most of these cases, however, the suit is immediately met by proper concessions on the part of the defendant, as, *e. g.*, by payment into Court, in which case we have tried to lay down some rule about costs. See below sections 367 and 368.

The practical question is, whether it is likely to be useful to the Courts if the Code contains something applicable to contested cases; and the point is one on which we should be glad of opinions from those who have had occasion to study it.

Section 201.—This provides that there shall be no appeal or re-hearing on a question of costs, except when it distinctly appears on the face of the proceedings, either that the costs are payable out of or chargeable on some property, or that the mode in which they have been given is inconsistent with some enactment.

CHAPTER XVIII.—EXECUTION OF DECREES.

On this portion of the Code more questions have been raised and more cases decided than on any other. Our amendments have accordingly been rather numerous. But, with two exceptions—the clauses in *section 218*, as to applications to execute decrees for the payment of money or delivery of property, and the sections (314-328) relating to insolvency—they will be found not to make any great change in substance. We proceed to specify these amendments, omitting mere changes in wording and arrangement.

Section 202.—We have here touched on the mode of executing decrees for the delivery of a share of the dwelling-house of an undivided Hindú family (2 Wym. Rep. 217).

Section 203.—Here we have embodied a ruling of the High Court, Fort William (1 Ind. Jur. N. S. 307), that in a suit for the restitution of conjugal rights a decree for the plaintiff shall be declaratory only, and shall be enforced in case of disobedience only by attachment.

Section 215.—We have here made it clear that property liable to attachment must be saleable, and, in accordance with decided cases, we have expressly exempted (a) necessary wearing apparel, (b) books of account, (c) mere rights to sue, (d) the right to perform the service of an idol, (e) stipends allowed to pensioners of Government, (f) salaries of servants of Government, (g) an expectancy of succession by survivorship, and (h) a right to future maintenance.

Section 218.—We have given the Court a discretionary power to refuse execution at the same time against the person and the property of the judgment-debtor. Sir Barnes Peacock (8 *Suth. C. R.*, 282, 284) held that the Court had the power, but it is well to give it expressly.

We here propose to make the following important change in the law as to applications to execute decrees for the payment of money or the delivery of other property :—

Where an application to execute such a decree has been made and granted, no subsequent application to execute the same decree shall be granted unless the Court is satisfied that, on the former application, due diligence was used to procure complete execution; and no such subsequent application shall be made after the expiration of twelve years from any of the following dates :—

- (a) the date of the decree sought to be enforced : or,
- (b) where the decree directs payment or delivery by instalments, the date of the default in paying or delivering the instalment in respect of which the applicant seeks to enforce the decree : or
- (c) where the decree is for money and the decree-holder and the judgment-debtor have entered into an agreement in writing that the amount decreed, with interest, shall be discharged by such instalments as, if duly paid, will discharge the said amount and interest at some time within thirty years from the date of the decree, the date of the default in paying the required instalment :

Provided that a decree-holder may apply for execution of his decree after the expiration of the term of twelve years where the judgment-debtor has by fraud or force prevented execution at some time within twelve years immediately before the date of the application.

Section 220.—Here, in accordance with another ruling of Sir B. Peacock's (9 *Suth. W. R.* 232), we have declared that when a decree against several persons has been transferred to one of them, he shall not be entitled to have it executed against the others. His remedy is a suit for contribution.

In *section 221.*—We have here provided that every transferee of a decree shall hold it subject to the equities (if any) which the judgment-debtor might have enforced against the transferor.

Section 222 deals with cross-decrees. We have provided for the *casus omissus* of the two sums decreed being equal, and we have added explanations in accordance with the rulings reported in 6 *Suth. F. B.* 72, and 7 *Suth.* 535. In *section 223* we have dealt with the subject of cross-claims under the same decree.

Section 225 treats of applications for execution against the representatives of a deceased judgment-debtor. We have expressly provided that such representative shall be liable to the extent of the property of the deceased which has come to his hands and has not been duly disposed of.

In *section 251*, as to applications by a person, other than the defendant, who is dispossessed of property in execution of a decree, we have declared that, in hearing such applications, the Court shall confine itself to the grounds specified in the section, and that no such application shall be made by a person to whom the defendant has transferred the property after the institution of the suit in which the decree is made (6 *Suth.* 148).

Section 253.—To this section (as to attachment of property in execution of a decree for money) we have added an explanation showing that a decree for mesne profits or any other matter the amount of which in money is to be subsequently determined, is a 'decree for money' within the meaning of this section.

In *section 254* we have removed a doubt as to the powers of a person executing a general attachment of moveables who has gained access to a house.

To *section 258* we have added a clause shewing how a prohibitory order is to be notified where the debt to be attached is due by a public company to one of its servants.

In *section 264* we have provided that private alienations of attached property during the continuance of the attachment shall be void as against all claims enforceable under the attachment, and not merely as against the party on whose application the attachment was made.

Section 268.—We have here provided that, when the Court grants a certificate authorizing the judgment-debtor to sell, mortgage or lease land attached, the year mentioned in *section 233* (after which he may be called on to shew cause why the decree should not be executed) shall be computed from the date of the expiry of the certificate.

Section 270.—We have here specified with more particularity than is done by the Bill of 1865, *section 391*, the liabilities of managers of attached property.

Section 272.—Here we have given power to the Local Governments, with the sanction of the Government of India, to make special rules for any territory, imposing conditions in respect to the sale of land in execution of decrees for money.

Section 274.—We have added a clause prohibiting execution-sales on holidays or any other day on which the Court is closed (3 *Suth. Misc.* 24.)

Section 276.—It has been held that the Collector is a mere ministerial officer under the corresponding section of the present Code, and that he has no discretion as to postponing sales, fixing an upset price, or any other matter affecting the substance of the sale. And it is suggested that the Collector ought to have discretion in such matters, or even some larger